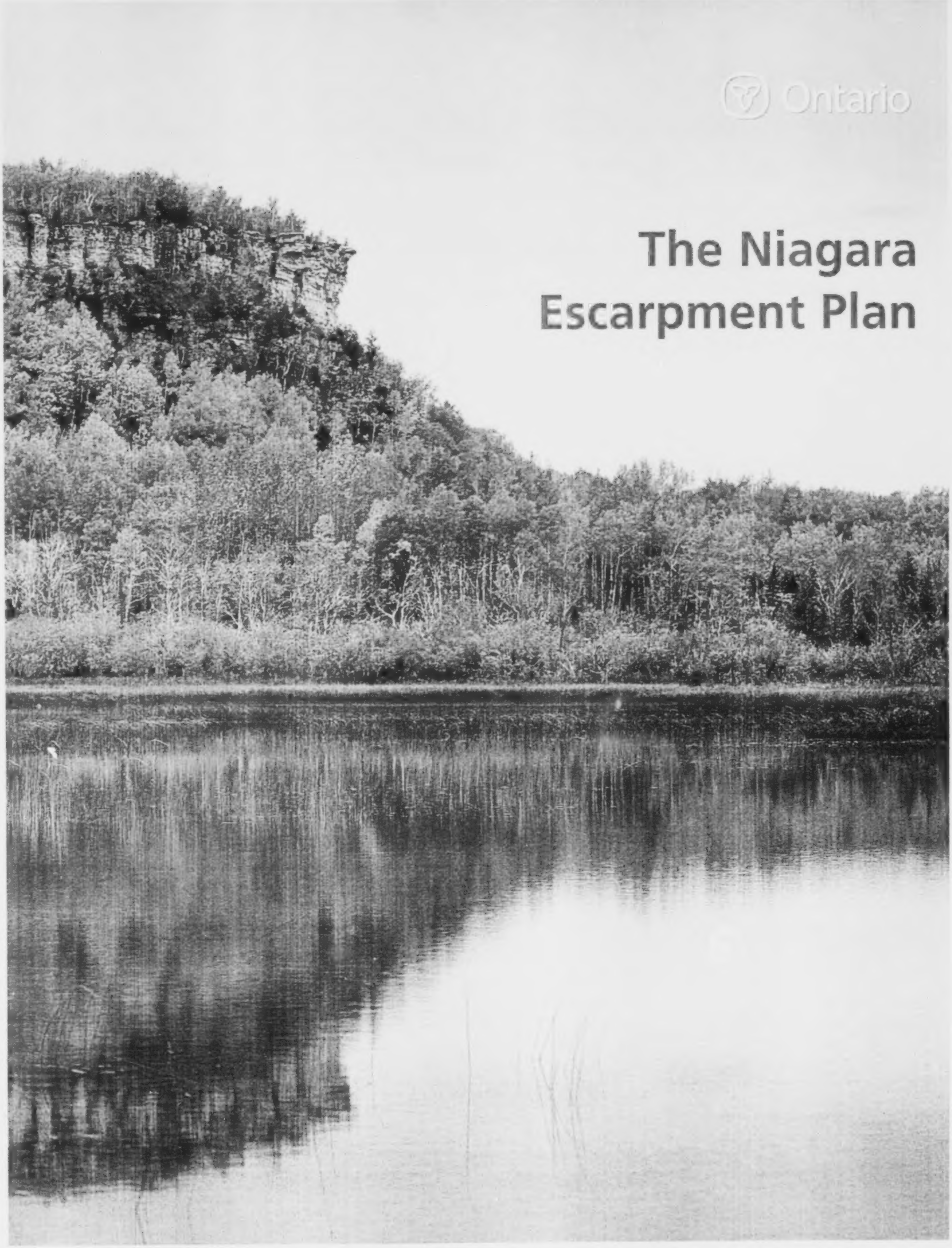
Ontario

The Niagara Escarpment Plan



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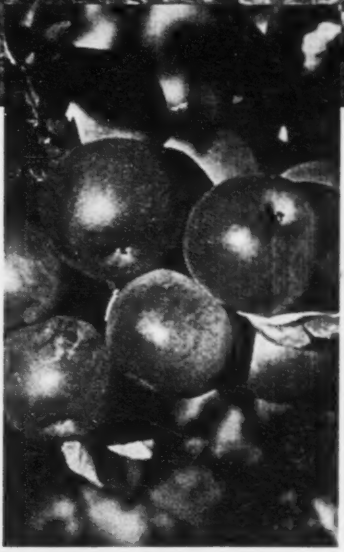

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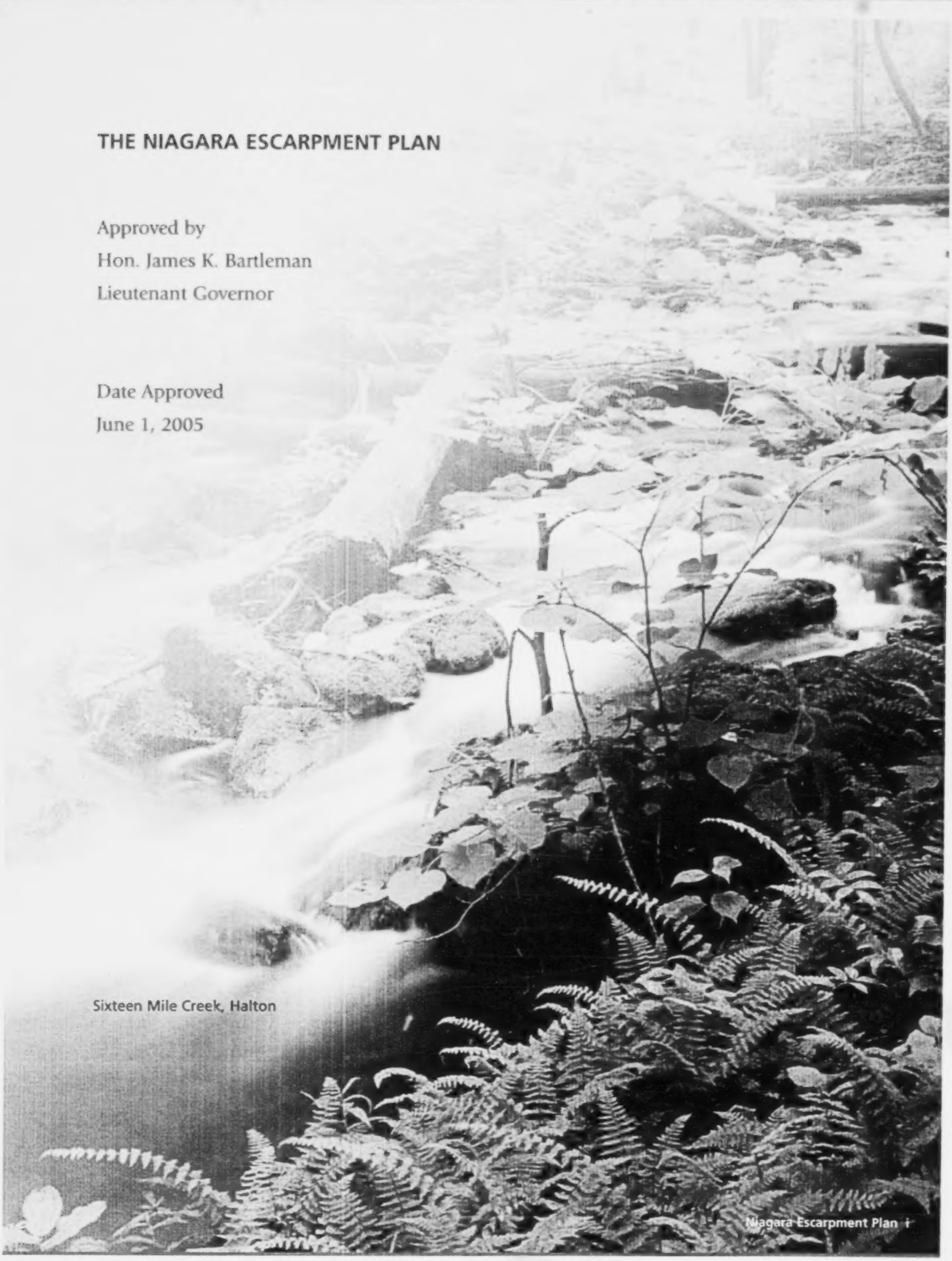
THE NIAGARA ESCARPMENT PLAN

Approved by
Hon. James K. Bartleman
Lieutenant Governor

Date Approved
June 1, 2005



Sixteen Mile Creek, Halton

Hilton Falls, Milton

105-05564/

MAB UNESCO

Man and the Biosphere Programme
Programme sur l'homme et la biosphère

In 1990, the United Nations Educational, Scientific and Cultural Organization (UNESCO) named Ontario's Niagara Escarpment a World Biosphere Reserve. This designation recognizes the natural features and ecological importance of the Escarpment and endorses the Niagara Escarpment Plan.

The Plan is Canada's first, large scale environmental land use plan. It balances protection, conservation and sustainable development to ensure that the Escarpment will remain substantially as a natural environment for future generations.

Collectively, UNESCO "Man and the Biosphere" reserves form a network of the world's main ecological systems. They provide excellent opportunities to study and compare preserved, natural areas and developed areas.

Biosphere reserves contain land used for a variety of purposes. The preserved, natural areas in reserves are a standard with which to measure the effects of human activity on the environment.

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Ontario's
Niagara
Escarpment

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The Niagara Escarpment Plan

INTRODUCTION

The Niagara Escarpment includes a variety of topographic features and land uses extending 725 kilometres from Queenston on the Niagara River to the islands off Tobermory on the Bruce Peninsula.

The particular combination of geological and ecological features along the Niagara Escarpment results in a landscape unequalled in Canada. It is also a source of some of southern Ontario's prime rivers and streams and one of the province's principal outdoor recreation areas.

Human impact on this environment is reflected in a variety of ways. The Escarpment area is the site of a large mineral aggregate extraction industry. Demand for permanent and seasonal residences in many areas is intense. Farming ranges from the cultivation of tender fruit and specialty crops in the Niagara Peninsula to the raising of beef cattle in Bruce County while the proximity to Ontario's largest population centres makes the Escarpment a popular tourist destination. Many archaeological sites and historical homes and buildings reflect, in a richly picturesque and valuable way, the development of the current landscape and economy of the area.

The Niagara Escarpment Planning and Development Act established a planning process to ensure that the area would be protected. From this emerged the Niagara Escarpment Plan which serves as a framework of objectives and policies to strike a balance between development, preservation and the enjoyment of this important resource.

On February 8, 1990, the Bureau of the United Nations Educational, Scientific and Cultural Organisation (UNESCO) Man and Biosphere (MAB) program approved the designation of the Niagara Escarpment as a Biosphere Reserve.

The Greenbelt Act, 2005, enacted in February, 2005, authorized the preparation of the Greenbelt Plan, 2005 that was approved in February, 2005. The Greenbelt Plan identifies where urbanization should not occur in order to provide permanent protection of the agricultural land base and the ecological features and functions occurring in the Greenbelt Plan Area.

That Area includes all of the Niagara Escarpment Plan Area as well as the Oak Ridges Moraine Conservation Plan Area and the Protected Countryside. The policies of the Niagara Escarpment Plan are the policies of the Greenbelt Plan for the Niagara Escarpment Plan Area.

HOW TO READ THIS PLAN

The Niagara Escarpment Plan is composed of a purpose statement and objectives, three parts and four appendices and Maps 1-10. The Niagara Escarpment Plan was originally approved on June 12, 1985 and was revised as a result of reviews that were initiated in 1990 and 1999.

Part 1

This section contains land use policies including the interpretation of Plan boundaries, the land use designations and the policies governing Plan amendments.

Seven land use designations explain how land shall be used throughout the area of the Niagara Escarpment Plan. For each designation, objectives are outlined followed by the criteria applied in their mapping. Uses permitted and lot creation policies for each designation are stated.

Part 2

This section contains Development Criteria which determine how a proposed development (i.e. a permitted use) should be carried out.

Parts 1 and 2 should be read in conjunction with each other.

If you are proposing a development in the area of the Niagara Escarpment Plan, you should:

a) Determine what land use designation applies to your land by referring to the appropriate map in the Maps 1 to 9 of the Plan;
b) Determine whether your proposed development is a permitted use in that designation by referring to Part 1 of the Plan; and
c) Consult the Development Criteria in Part 2 prior to applying for planning permission to proceed with your development.

Part 3

Part 3 describes the Niagara Escarpment Parks and Open Space System.

Appendices

Four appendices are included in the Plan as follows:

Appendix 1

A description of the parks and open space areas within the Niagara Escarpment Parks and Open Space System.

Appendix 2

Definitions.

Appendix 3

Residential Heritage Properties Listing of lots with dwellings which have been determined to have heritage value or interest.

Appendix 4

Nature Preserve Properties Listing of nature preserve properties acquired by an approved conservation organization under the provisions of the Plan.

Maps

Maps 1 to 10 accompany each copy of the Niagara Escarpment Plan.

PURPOSE AND OBJECTIVES

PURPOSE

The purpose of this Plan is to provide for the maintenance of the Niagara Escarpment and land in its vicinity substantially as a continuous natural environment, and to ensure only such development occurs as is compatible with that natural environment.

OBJECTIVES

The objectives of the Plan are:

1. To protect unique ecologic and historic areas;
2. To maintain and enhance the quality and character of natural streams and water supplies;
3. To provide adequate opportunities for outdoor recreation;
4. To maintain and enhance the open landscape character of the Niagara Escarpment in so far as possible, by such means as compatible farming or forestry and by preserving the natural scenery;
5. To ensure that all new development is compatible with the purpose of the Plan;
6. To provide for adequate public access to the Niagara Escarpment; and
7. To support municipalities within the Niagara Escarpment Plan Area in their exercise of the planning functions conferred upon them by the *Planning Act.*

ENVIRONMENTAL MONITORING

Purpose

An environmental monitoring program will be developed and implemented. It will be designed to assess and regularly report upon the effectiveness of policies, decisions and practices throughout the Plan area in meeting the purpose and objectives of the Niagara Escarpment Plan, including the objectives of Part 3 of the Plan especially related to the inclusion of monitoring in Niagara Escarpment Parks and Open Space System master/management planning and monitoring of the Bruce Trail.

PURPOSE

Indicators

Consistent, long term monitoring of selected indicators allows analysis of the cumulative response of all parts of the environment in the Plan area, including ecosystem and landscape components, to external influences. Such influences include local human activity, such as land use practices and changes in land use, as well as regional and global stresses such as climate change.

Comparison of indicator values with initial benchmark values or conditions over time will allow evaluation and refinement of management and planning policies and practices. Furthermore, monitoring is a means of understanding and anticipating environmental changes and avoiding or minimizing deterioration in environmental quality.

Scale

In some cases monitoring will be carried out on a regional, landscape scale; in others it will be on a local or even site-specific scale. The scope and some elements of the broad monitoring program will change over the course of time as stresses on the Escarpment change.

Use of Monitoring Information

Monitoring information will be used in the day-to-day implementation of the Plan, when considering Plan Amendments, and during periodic reviews of the Niagara Escarpment Plan under section 17 of the *Niagara Escarpment Planning and Development Act.*

Monitoring results and analyses will be disseminated through the Niagara Escarpment Commission's website, conferences, presentations, publications and regular reports produced as part of the Niagara Escarpment Monitoring Program. The data will be available for evaluation and use by interested individuals, organizations, agencies and the academic community throughout the world.

The monitoring program will also contribute to the United Nations Biosphere Reserve Program in such areas as managing for biodiversity, education and research, and study of environmentally sustainable development.

Land Use Policies

PART 1

Land Use Policies

1.1 Interpretation of Boundaries

The outer boundary of the area covered by the Niagara Escarpment Plan is fixed and inflexible, and can be changed only by a Plan amendment. It is formed by a combination of such features as roads, railways, electrical transmission lines, municipal and property boundaries, lot lines, rivers and topographic features.

The internal boundaries between designations within the Plan, however, are less definite except where they are formed by such facilities as roads, railways, and electrical transmission lines. These internal boundaries, shown at a scale of 1:50,000, are not intended to be site-specific and should not be used for accurate measurement. The exact delineation of designation boundaries on specific sites will be done by the implementing body through the application of the designation criteria (see Part 1) utilizing the most detailed or up-to-date information available and site inspections. Such designation boundary interpretations will not require amendments to the Niagara Escarpment Plan.

1.2 Land Use Designations

The area of the Niagara Escarpment Plan has been allocated among the following seven land use designations:

- Escarpment Natural Area
- Escarpment Protection Area
- Escarpment Rural Area
- Minor Urban Centre
- Urban Area
- Escarpment Recreation Area
- Mineral Resource Extraction Area

The land use designations are shown on Maps 1 to 9 of the Plan.

Changes to Map 10, Appendix 1, and the Public Lands in the Niagara Escarpment Parks and Open Space System, as a result of land acquisition and park and open space planning activities do not require a Plan amendment. The implementing authority will update Map 10 and Appendix 1 on an ongoing basis.

This part of the Plan explains the policies associated with each of these designations and the way in which land may be used throughout the area of the Niagara Escarpment Plan.

1.2.1 *Plan Amendments*

Changes in policy or land use designation require an amendment to the text and/or Appendices and Maps of this Plan. The process is outlined in sections 6.1, 7, 8 and 10 of the *Niagara Escarpment Planning and Development Act.*

The following provisions apply to applications to amend the Niagara Escarpment Plan:

- Planning policies and land use designations may be changed as long as the purpose and objectives of the *Niagara Escarpment Planning and Development Act* and the Niagara Escarpment Plan are met. The purpose statement and objectives in the Introduction of the Plan shall not be changed outside of the context of a full review of the Plan.
- Sections 6.1(2.1) and 10(6) of the *Niagara Escarpment Planning and Development Act* require that amendments to the Niagara Escarpment Plan be justified. The justification for a proposed amendment to the Niagara Escarpment Plan means the rationale for the amendment, and includes reasons, arguments or evidence in support of the change to the Plan proposed through the amendment.
- It must be demonstrated that the proposed amendment and the expected impacts resulting from the proposed amendment do not adversely affect the purpose and objectives of the *Niagara Escarpment Planning and Development Act*. The proposed amendment must be consistent with the purpose and objectives of the *Niagara Escarpment Planning and Development Act* and the Niagara Escarpment Plan and shall be consistent with other relevant Provincial policies.

1.2.2 *Exceptions*

An amendment to the Niagara Escarpment Plan will not be required to:

a) Change the numbering or ordering of the Niagara Escarpment Plan, provided sections are not added or deleted;

b) Consolidate amendments into the Niagara Escarpment Plan where such amendments have been approved under the provisions of the *Niagara Escarpment Planning and Development Act;*

c) Correct grammatical or typing errors which do not affect the intent of the Niagara Escarpment Plan's policies or Maps or Appendices;

d) Correct references to municipal names, names of ministries or agencies, or the names of park and open space areas in the Niagara Escarpment Plan where names have been changed;

e) Correct references to legislation or regulations in the Niagara Escarpment Plan where the legislation or regulations have been replaced or changed;

f) Change measurement to different units of measure in the Niagara Escarpment Plan provided the measurement remains the same;

g) Make a boundary interpretation where such an interpretation is made under Part 1.1 of the Niagara Escarpment Plan;

h) Acquire and dispose of public land and add parks or open space to the Niagara Escarpment Parks and Open Space System in accordance with Parts 3.4 and 3.5, the policies which govern the acquisition and disposal of public land, and the addition of parks and open space under the Niagara Escarpment Plan;

i) Change the Park and Open Space descriptions in Appendix 1 of the Niagara Escarpment Plan;

j) Add properties to Appendix 3, the Residential Heritage Properties Listing of the Niagara Escarpment Plan, in accordance with Part 2.12.6;

k) Add properties to Appendix 4, the "Nature Preserve Properties Listing", of the Niagara Escarpment Plan, in accordance with Parts 2.2.1.e and Part 2.4.16;

l) A change to the list of Nodal Parks identified in Part 3 of this Plan, in accordance with Part 3.1.2, Nodal Parks;

m) When a Minor Urban Centre is deleted as a designated rural settlement area by a municipality in an approved official plan and/or secondary plan, it may be removed from the list of Minor Urban Centres and the Maps of the Niagara Escarpment Plan modified accordingly;

n) A revision to the boundary of a Listed Minor Urban Centre only if the boundary has been redefined to reduce the area of a Minor Urban Centre by a municipality, in an approved official plan and/or secondary plan;

o) The addition to the Plan of an approved boundary of a Listed Minor Urban Centre shown with a symbol; and

p) New Mineral Resource Extraction Areas producing less than 20,000 tonnes (22,000 tons) annually may be permitted in the Escarpment Rural Area without an amendment to the Plan.

1.3 Escarpment Natural Area

Escarpment features which are in a relatively natural state and associated stream valleys, wetlands and forests which are relatively undisturbed are included within this designation. These contain important plant and animal habitats and geological features and cultural heritage features and are the most significant natural and scenic areas of the Escarpment. The policy aims to maintain these natural areas.

Objectives

1. To maintain the most natural Escarpment features, stream valleys, wetlands and related significant natural areas and associated cultural heritage features.
2. To encourage compatible recreation, conservation and educational activities.
3. To maintain and enhance the landscape quality of Escarpment features.

Criteria for Designation

1. Escarpment slopes and related landforms associated with the underlying bedrock which are in a relatively natural state.
2. Where forest lands abut the Escarpment, the designation includes the forested lands 300 metres (1,000 feet) back from the brow of the Escarpment slope (e.g. Bruce Peninsula).
3. The most significant Areas of Natural and Scientific Interest (Life Science).
4. The most significant stream valleys and wetlands associated with the Escarpment.

Permitted Uses

Subject to Part 2, Development Criteria, the following uses may be permitted:

1. Existing agricultural operations.
2. Existing uses.
3. Single dwellings.
4. Non-intensive recreation uses such as nature viewing and trail activities except motorized vehicle trails or the use of motorized trail vehicles.
5. Forest, wildlife and fisheries management.
6. Archaeological activities.
7. Essential transportation and utility facilities.

8. Accessory buildings, structures and facilities (e.g. a garage or farm pond), signs, and the site modifications required to accommodate them.

9. Incidental uses (e.g. swimming pools, tennis courts) and site modifications required to accommodate them, provided that the impact on the natural environment is minimal.

10. Uses permitted in Park or Open Space Master/Management Plans which are not in conflict with the Niagara Escarpment Plan.

11. Home occupations and cottage industries.

12. Essential watershed management and flood and erosion control projects carried out or supervised by a public authority.

13. Limited expansion of the existing small sandstone quarries subject to Part 2.11.

14. The Bruce Trail corridor including the pedestrian footpath and, where necessary, bridges, boardwalks and other trail-related constructions and unserviced Overnight Rest Areas and Access Points for Bruce Trail users.

15. Notwithstanding the policies of subsection 3 of this section, no single dwellings shall be permitted in those parts of Lots 7, 8 and the West Half of Lot 9, Concession 2, Municipality of Grey Highlands (formerly Euphrasia Township) designated Escarpment Natural Area.

16. Bed and Breakfast Homes.

17. Farm Vacation Homes.

18. Notwithstanding the permitted uses and the policies of Part 2.5 New Development Affecting Steep Slopes, a parking lot shall be permitted on the subject property located in part of the South East Half of Lot 11, Concession 3, Town of Milton (formerly New Survey), Regional Municipality of Halton and identified as Instrument No. 45719.

19. Provided there is no alternative (see Part 2.2.7.b)iii)), a second single dwelling on an existing lot of record where there is an existing single dwelling designated and an easement agreement registered under the *Ontario Heritage Act*, or such a dwelling is considered to be of provincial or national heritage value or interest.

20. Nature preserves owned and managed by an approved conservation organization.

New Lots

New lots may be created subject to conformity with the provisions of this section, the applicable policies in Part 2, Development Criteria, and official plans and, where applicable, zoning by-laws which are not in conflict with the Niagara Escarpment Plan.

1. Provided no new building lot(s) is created, a severance may be permitted for:
    - the purpose of correcting conveyances;
    - the purpose of enlarging existing lots;
    - as part of, or following, the acquisition of lands by a public body; or
    - as part of, or following, the acquisition of lands by an approved conservation organization for the purpose of establishing a nature preserve.

2. A lot may be created by severing one original township lot or half township lot, where the original township lot is 80 hectares or 200 acres, from another township lot or half township lot provided there have been no previous lots severed from one of the affected township lots. Such severances shall only occur along the original township lot line.

3. In the Town Plot of Brooke, Grey County, a lot may be created by severing one of the original Town Plot lots from another, provided there have been no previous lots severed from one of the affected Town Plot lots. Such severances shall only occur along the original Town Plot lines.

4. A lot created by a public body (e.g. for a road or park) or by an approved conservation organization for a nature preserve will not be considered a previous lot. A remnant lot(s) created as a result of a parcel acquired by a public body, or an approved conservation organization, which may be used as a building lot(s) shall be considered a previous lot. A lot owned by a public body as part of the Parks and Open Space System or the Bruce Trail Corridor or a lot owned by an approved conservation organization as a nature preserve which was an existing lot of record prior to its acquisition by the public body or the approved conservation organization shall be considered a previous lot.

5. Notwithstanding the policies of this section, no new lots shall be created from either all or part of the Escarpment Natural Area located within Lot 7, 8 or the West Half of Lot 9, Concession 2, Municipality of Grey Highlands (formerly Euphrasia Township), unless such lots are being created for the purpose of correcting conveyances or through acquisition by a public body. The owner(s) of Lots 7, 8 and the West Half of Lot 9, Concession 2, Municipality of Grey Highlands (formerly Euphrasia Township), may, however, seek approval for a plan of condominium covering all of the said lots provided such plan does not contain more than 8 units.

1.4 Escarpment Protection Area

Escarpment Protection Areas are important because of their visual prominence and their environmental significance. They are often more visually prominent than Escarpment Natural Areas. Included in this designation are Escarpment features that have been significantly modified by land use activities such as agriculture or residential development, land needed to buffer prominent Escarpment Natural Areas, and natural areas of regional significance.

The policy aims to maintain the remaining natural features and the open, rural landscape character of the Escarpment and lands in its vicinity.

Objectives

1. To maintain and enhance the open landscape character of Escarpment features.
2. To provide a buffer to prominent Escarpment features.
3. To maintain natural areas of regional significance and cultural heritage features.
4. To encourage agriculture, forestry and recreation.

Criteria for Designation

1. Escarpment slopes and related landforms where existing land uses have significantly altered the natural environment (e.g. agricultural lands or residential development).
2. Areas in close proximity to Escarpment slopes which visually are part of the landscape unit.
3. Regionally Significant Areas of Natural and Scientific Interest (Life Science) or areas designated as environmentally sensitive by municipalities or conservation authorities.

Permitted Uses

Subject to Part 2, Development Criteria, the following uses may be permitted:

1. Agricultural operations.
2. Existing uses.
3. Single dwellings.
4. Mobile or portable dwelling unit(s) accessory to an agricultural operation.

5. In non-agricultural areas, recreational uses oriented towards the land which require minimal modification of the existing natural, topographic and landscape features and which do not require the building of major structures (e.g. picnic sites, day use sites, unserviced camp sites, trail uses). Golf courses are not permitted.
6. Forest, wildlife and fisheries management.
7. Archaeological activities.
8. Transportation and utility facilities.
9. Accessory buildings, structures and facilities (e.g. a garage or farm pond), signs, and the site modifications required to accommodate them.
10. Small scale commercial uses accessory to agriculture.
11. Incidental uses (e.g. swimming pools, tennis courts and ponds) and site modifications required to accommodate them, provided the impact on the natural environment is minimal.
12. In non-agricultural areas, small scale institutional uses.
13. Uses permitted in Park and Open Space Master/Management Plans which are not in conflict with the Niagara Escarpment Plan.

14. Home occupations, cottage industries and home industries.
15. Veterinary clinics.
16. Animal kennels in conjunction with a single dwelling.
17. Watershed management and flood and erosion control projects carried out or supervised by a public agency.
18. Limited expansion of the existing small sandstone quarries subject to Part 2.11.
19. The Bruce Trail corridor including the pedestrian footpath and, where necessary, bridges, boardwalks and other trail-related constructions and unserviced Overnight Rest Areas and Access Points for Bruce Trail users.
20. A campground on that portion of the North Half of Lot 24, Concession 2 N.D.S., formerly Township of Nelson, now the City of Burlington, Regional Municipality of Halton, shown generally in hatching on Map 1 attached to Amendment No. 8.

21. Notwithstanding the policies of subsections 3 and 4 of this section and of Part 2.2.7, a maximum of eight single dwellings (including those accessory to an agricultural operation) are permitted within those parts of Lots 7, 8 and the West Half of Lot 9, Concession 2, Municipality of Grey Highlands (formerly Euphrasia Township) designated Escarpment Protection Area on Map 1 attached to Amendment No. 19 to the Niagara Escarpment Plan. No new single dwellings are permitted within the said Escarpment Protection Area unless they are located within the "Development Area" shown on Map 1.

22. A commercial use (model home/showroom/office and sales outlet) in an existing ± 400 square metre (4,300 square feet) building located on Part East Half Lot 1, Concession 7, East of Hurontario Street in the Town of Mono in the County of Dufferin, having an area of 1.01 hectares (2.5 acres) and having a frontage of 58 metres (190 feet).

23. Small scale recycling depots for paper, glass and cans etc., serving the local community.

24. Notwithstanding other policies in this Plan, a golf course, with related golf club facilities is permitted on a 111 hectare (275 acre) parcel located on the following lands. Firstly: Part of Lots 2, 3 and 4, Concession 10, in the Town of Niagara-on-the-Lake, Regional Municipality of Niagara. Secondly: Part Lot 1, in the City of Thorold, in the Regional Municipality of Niagara. Thirdly: Part Gore Lots 10 and 11, in the City of Niagara Falls, in the Regional Municipality of Niagara: Lastly: Part Lot 5, Concession 10, in the City of St. Catharines, in the Regional Municipality of Niagara.

25. Notwithstanding other policies in this Plan, a golf course is permitted on a 55 hectare (135 acre) parcel located on Part Lots B and C, Eastern Gore and Part Lots 1 and 2, Concession 2, and Part of Lot C, Concession 3 situated between the "bench face" and the Niagara Escarpment in the Town of Grimsby, in the Regional Municipality of Niagara.

26. Bed and Breakfast Homes.

27. Farm Vacation Homes.

28. A second single dwelling on an existing lot of record where there is an existing single dwelling designated and an easement agreement registered under the *Ontario Heritage Act*, or such a dwelling is considered to be of provincial or national heritage value or interest.

29. Notwithstanding the other policies of this section, a new County heritage and visitor building having a maximum size of 3,720 square metres (40,000 square feet) and heritage buildings which may include a 1900's log house, a 1920's house, a mid-19th century house, a barn, sawmill, garages, a blacksmith's shop, a schoolhouse, a church and a general store, related accessory and incidental facilities (e.g. trails and gardens) and the existing buildings are permitted as the heritage facility within the 19.55 hectare (48.4 acre) East Part Lot 10, Concession 2, Township of Georgian Bluffs (formerly Derby Township), Grey County, subject to the Special Provisions of Part 2.2.13.

30. Notwithstanding the permitted uses of this section, a privately-operated educational facility (involving the teaching and training of audio technology) in an existing 140 square metre (1,500 square foot) building located on Part Lot 9, Concession 2, in the City of Hamilton (former City of Stoney Creek), having an area of 0.28 hectares (0.71 acres), subject to the Special Provisions in Part 2.2.14.

31. Winery and winery incidental uses, subject to Part 2.10.4.

32. Nature preserves owned and managed by an approved conservation organization.

New Lots

New lots may be created subject to conformity with the provisions of this section, the applicable policies in Part 2, Development Criteria, and official plans and, where applicable, zoning by-laws which are not in conflict with the Niagara Escarpment Plan.

1. Provided no new building lot(s) is created, a severance may be permitted for:
    - the purpose of correcting conveyances;
    - the purpose of enlarging existing lots;
    - as part of, or following, the acquisition of lands by a public body; or
    - as part of, or following, the acquisition of lands by an approved conservation organization for the purpose of establishing a nature preserve.
2. New lots may be created for agricultural operations provided both the severed and remnant parcels are of sufficient size to remain useful for agricultural purposes as outlined in the Provincial Policy Statement (PPS).
3. A lot may be created by severing one original township lot or half township lot, where the original township lot is 80 hectares or 200 acres or more, from another township lot or half township lot provided there have been no previous lots severed from one of the affected township lots. Such severances shall only occur along the original township lot line.

4. In the Town Plot of Brooke, Grey County, a lot may be created by severing one of the original Town Plot lots from another, provided there have been no previous lots severed from one of the affected Town Plot lots. Such severances shall only occur along the original Town Plot lot lines.

5. Provided no lots have been severed in the past from the original township lot or half township lot, where the original township lot is 80 hectares or 200 acres or more, a full time bona fide farmer who is retiring from active working life and has farmed the land from the date of approval of the original Plan on June 12, 1985, may be permitted a lot on which the farmer intends to retire and reside.

6. A lot created by a public body (e.g. for a road or park) or by an approved conservation organization for a nature preserve will not be considered a previous lot. A remnant lot(s) created as a result of a parcel acquired by a public body or an approved conservation organization, which may be used as a building lot(s) shall be considered a previous lot. A lot owned by a public body as part of the Parks and Open Space System or the Bruce Trail Corridor or a lot owned by an approved conservation organization as a nature preserve which was an existing lot of record prior to its acquisition by the public body or the approved conservation organization shall be considered a previous lot.

7. Notwithstanding the New Lots policies herein and the policies of Part 2.4, Lot Creation, that part of Lot 6, Concession 5, Town of Pelham, Regional Municipality of Niagara, abutting the south limit of the Ontario Power Generation Inc. (formerly Ontario Hydro) lands having a frontage of 340.9 feet on the west side of Effingham Road, a depth of 509.0 feet along the Ontario Power Generation Inc. (formerly Ontario Hydro) lands, a western dimension of 253.9 feet and a southern dimension of 505.3 feet may be divided into two lots.

8. Notwithstanding the policies of this section, no new lots shall be created from either all or part of the Escarpment Protection Area located within Lot 7, 8 or the West Half of Lot 9, Concession 2, Municipality of Grey Highlands (formerly Euphrasia Township), unless such lots are being created for the purpose of correcting conveyances or through acquisition by a public body. The owner(s) of Lot 7, 8 and the West Half of Lot 9, Concession 2, Municipality of Grey Highlands (formerly Euphrasia Township), may, however, seek approval for a plan of condominium covering all of the said lots, provided such plan does not contain more than 8 units.

1.5 Escarpment Rural Area

Escarpment Rural Areas are an essential component of the Escarpment corridor, including portions of the Escarpment and lands in its vicinity. They provide a buffer to the more ecologically sensitive areas of the Escarpment.

Objectives

1. To maintain scenic values of lands in the vicinity of the Escarpment.
2. To maintain the open landscape character by encouraging the conservation of the traditional cultural landscape and cultural heritage features.
3. To encourage agriculture and forestry and to provide for compatible rural land uses.
4. To provide a buffer for the more ecologically sensitive areas of the Escarpment.
5. To provide for the designation of new Mineral Resource Extraction Areas which can be accommodated by an amendment to the Niagara Escarpment Plan.

Criteria For Designation

1. Minor Escarpment slopes and landforms.
2. Lands in the vicinity of the Escarpment necessary to provide an open landscape, and/or are of ecological importance to the environment of the Escarpment.

Permitted Uses

Subject to Part 2, Development Criteria, the following uses may be permitted:

1. Agricultural operations.
2. Existing uses.
3. Single dwellings.
4. Mobile or portable dwelling unit(s) accessory to an agricultural operation.
5. In non-agricultural areas, recreational uses such as campgrounds, golf courses and associated golf course country clubs and trail uses provided that any detrimental impact of these uses on the Escarpment scenic qualities and natural environment is kept to a minimum.
6. Forest, wildlife and fisheries management.

7. Archaeological activities.

8. Transportation and utility facilities; however only linear facilities may be permitted in prime agricultural areas.

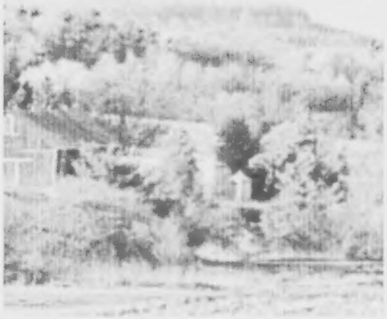
9. Accessory buildings, structures and facilities (e.g. a garage or farm pond), signs, and the site modifications required to accommodate them.

10. Small scale commercial uses accessory to agricultural operations.

11. Incidental uses (e.g. swimming pools, tennis courts and ponds) and site modifications required to accommodate them, provided that the impact on the natural environment is minimal.

12. In non-agricultural areas, small scale institutional uses.

13. Uses permitted in Park or Open Space Master/Management Plans which are not in conflict with the Niagara Escarpment Plan.



14. Home occupations, cottage industries and home industries.

15. Veterinary clinics.

16. Animal kennels in conjunction with a single dwelling.

17. In non-agricultural areas, small scale commercial and industrial development servicing agriculture and the rural community.

18. Watershed management and flood and erosion control projects carried out or supervised by a public agency.

19. The Bruce Trail corridor including the pedestrian footpath and, where necessary, bridges, boardwalks and other trail-related constructions and unserviced Overnight Rest Areas and Access Points for Bruce Trail users.

20. New licensed pits or quarries producing less than 20,000 tonnes (22,000 tons) annually, subject to Part 2.11.

21. New licensed pits or quarries producing more than 20,000 tonnes (22,000 tons) annually subject to Part 1.9 (requiring an amendment to the Niagara Escarpment Plan), and Part 2.11.

22. Wayside pits or wayside quarries subject to the *Aggregate Resources Act*, the Ministry of Transportation Directive on Procedures for Administration of Mineral Aggregate Extraction on MTO Contracts and Part 2.11.

23. Limited expansion of the existing small sandstone quarries, subject to Part 2.11.

24. That part of Lot 12, Concession 2, WHS, in the Town of Caledon (former Township of Caledon) designated as Escarpment Rural Area on Map 4 of the Niagara Escarpment Plan and outlined in a heavy dark line on "Map 2 to Amendment No. 1 to the Niagara Escarpment Plan" may be used for berming, screening and temporary stockpiling of earthen material.

25. Notwithstanding the policies of subsections 3 and 4 of this section, no single dwellings (including those accessory to an agricultural operation) shall be permitted in those parts of Lot 7 and 8, Concession 2, Municipality of Grey Highlands (formerly Euphrasia Township), designated Escarpment Rural Area.

26. Small scale recycling depots for paper, glass and cans etc., serving the local community.

27. Bed and Breakfast Homes.

28. Farm Vacation Homes.

29. A second single dwelling on an existing lot of record where there is an existing single dwelling designated and an easement agreement registered under the *Ontario Heritage Act*, or such a dwelling is considered to be of provincial or national heritage value or interest.

30. Notwithstanding the permitted uses of this section and Part 2.3 Existing Uses, a 3,200 square metre (34,445 square foot) building will be permitted as an expansion to an existing institutional use, in the area of the existing institutional complex, within the West Half of Lot 6, Concession 7 East of Hurontario Street in the Town of Mono, County of Dufferin subject to the Special Provisions in Part 2.2.12.

31. Notwithstanding the permitted uses of this section, a Country Inn which provides a maximum of six rooms to guests and a 26 seat dining facility to serve meals to both patrons of the inn as well as the general public, is permitted within the existing single dwelling located on the 44.72 hectare (110.51 acre) Part Lots 19 and 20, Concession 8 EBR, Municipality of Northern Bruce Peninsula (formerly Lindsay Township), Bruce County, subject to the Special Provisions in Part 2.2.15.

32. Winery and winery incidental uses, subject to Part 2.10.4.

33. Nature preserves owned and managed by an approved conservation organization.

New Lots

New lots may be created subject to conformity with the provisions of this section, the applicable policies in Part 2, Development Criteria, and official plans and, where applicable, zoning by-laws which are not in conflict with the Niagara Escarpment Plan.

1. Provided no new building lot(s) is created, a severance may be permitted for:
    - the purpose of correcting conveyances;
    - the purpose of enlarging existing lots;
    - as part of, or following, the acquisition of lands by a public body; or
    - as part of, or following, the acquisition of lands by an approved conservation organization for the purpose of establishing a nature preserve.
2. New lots may be created for agricultural operations provided both the severed and remnant parcels are of sufficient size to remain useful for agricultural purposes as outlined in the Provincial Policy Statement (PPS).
3. A lot may be created by severing one original township lot or half township lot, where the original township lot is 80 hectares or 200 acres or more, from another township lot or half township lot provided there has been no more than one previous lot severed from one of the affected township lots. Such severances shall only occur along the original township lot line.
4. Provided no lots have been created in the past from the original township lot, or half township lot, where the original township lot is 80 hectares or 200 acres or more, and where the proposed lot is not in conflict with the Agricultural Policies of the Provincial Policy Statement (PPS), one lot may be severed for a permitted use.
5. No new lots are permitted where one or more lots have been severed from the original township lot, or half township lot, where the original township lot is 80 hectares or 200 acres or more.
6. In addition, provided that no more than one lot has been severed in the past from the original township lot or half township lot, where the original township lot is 80 hectares or 200 acres or more, a full-time bona fide farmer who is retiring from active working life and has farmed the land from the date of approval of the original Plan on June 12, 1985, may be permitted a lot on which the farmer intends to retire and reside.
7. A lot created by a public body (e.g. for a road or park) or by an approved conservation organization for a nature preserve will not be considered a previous lot. A remnant lot(s) created as a result of a parcel acquired by a public body, or an approved conservation organization, which may be

used as a building lot(s) shall be considered a previous lot. A lot owned by a public body as part of the parks and open space system or the Bruce Trail Corridor or a lot owned by an approved conservation organization as a nature preserve, which was an existing lot of record prior to its acquisition by the public body or the approved conservation organization shall be considered a previous lot.

8. Notwithstanding the policies of this section, no new lots shall be created from either all or part of the Escarpment Rural Area located within Lot 7 or 8, Concession 2, Municipality of Grey Highlands (formerly Euphrasia Township), unless such lots are being created for the purpose of correcting conveyances or through acquisition by a public body. The owner(s) of Lot 7, 8 and the West Half of Lot 9, Concession 2, Municipality of Grey Highlands (formerly Euphrasia Township), may, however, seek approval for a plan of condominium covering all of the said lots, provided such plan does not contain more than 8 units.

Development Policies for Mineral Extraction

1. In evaluating applications for amendment to the Niagara Escarpment Plan to redesignate Escarpment Rural Area to Mineral Resource Extraction Area, the following matters will be considered:
    - a) Protection of the natural and cultural environment, namely:
        - i) Groundwater and surface water systems on a watershed basis;
        - ii) Habitat of endangered (regulated), endangered (not regulated), rare, special concern and threatened species;
        - iii) Adjacent Escarpment Protection and Escarpment Natural Areas;
        - iv) Adjacent Rural Area natural features;
        - v) Existing and optimum routes of the Bruce Trail;
        - vi) Provincially significant wetlands;
        - vii) Provincially significant ANSIs; and
        - viii) Significant cultural heritage features.
    - b) Opportunities for achieving the objectives of Section 8 of the *Niagara Escarpment Planning and Development Act* through the final rehabilitation of the site;
    - c) Maintenance and enhancement of the quality and character of natural systems, water supplies, including fish habitat; and
    - d) Capability of the land for agricultural uses and its potential for rehabilitation for agricultural uses.

2. Amendment applications must be accompanied by:

   a) Information on the location of the site in relation to the actual Escarpment and to the Escarpment Rural, Protection and Natural Area designations;

   b) Information to support the requirements of Policy 1, along with information submitted to meet the requirements of the *Aggregate Resources Act*, including site plans submitted under Section 8 and reports submitted under Section 9; and

   c) Information on the ultimate use of the site in conformity with the Escarpment Rural, Protection or Natural Area designations.

3. A Processing Guide is available from the Niagara Escarpment Commission for assistance in preparing applications to amend the Niagara Escarpment Plan designation from Escarpment Rural Area to Mineral Resource Extraction Area, and for the consideration of new Provincial wayside pits and quarries. The Processing Guide was developed following completion of the Mineral Resource Planning Study: "Niagara Escarpment Plan Area and Surrounding Areas" in November, 1995. The Guide provides information on the Plan Amendment and Development Permit processes. It does not change the legal requirements for evaluating those applications under the *Niagara Escarpment Planning and Development Act* or the Niagara Escarpment Plan.

1.6 Minor Urban Centre

This land use designation identifies those rural settlements, villages and hamlets that are distributed throughout the area of the Plan.

Objectives

1. To recognize, maintain and enhance existing rural settlements or provide concentration points for development and growth in rural areas.
2. To ensure that cumulatively the existing Minor Urban Centre and any associated development and growth can be accommodated and serviced in a manner that would be environmentally sustainable over the long term.
3. To maintain and enhance the cultural heritage features of these settlement areas, municipalities are encouraged to: (a) designate all or parts of them in accordance with the *Ontario Heritage Act*, and (b) recommend all or parts of them be listed as being of heritage significance in the Niagara Escarpment Plan. In addition the Commission is encouraged to list in the Niagara Escarpment Plan any such areas it feels appropriate.

4. To ensure that new development is compatible with the identity and traditional character of Minor Urban Centres.
5. To generally direct the growth of villages, hamlets, and settlement areas away from Escarpment Natural Areas and Escarpment Protection Areas into Escarpment Rural Areas in a logical manner with the least possible environmental and agricultural disruption.
6. To ensure that any growth will be in accordance with a municipal official plan and/or secondary plan which is not in conflict with the Niagara Escarpment Plan.

List of Minor Urban Centres

The Minor Urban Centre designation includes the following list of villages and hamlets which are designated in local, regional or county official plans.

Balmy Beach
Barrow Bay
Belfountain
Campbellville
Cataract
Cheltenham
Colpoys Bay
Copetown
Dunedin
Dyers Bay
Eugenia
Glen Huron
Greensville
Griersville
Henderson's Corners
Inglewood
Kilbride
Kimberley
Limehouse
Lowville
Massie
Mono Centre
Mono Mills
Mount Nemo
Oxenden
Queenston
Silver Creek
Singhampton
Springmount
St. Davids
Terra Cotta (Caledon)
Walters Falls
Winona

Additions to this list and the designations on Maps 1 to 9 require amendments to the Niagara Escarpment Plan.

When a Minor Urban Centre is deleted as a designated rural settlement area by a municipality in an approved official plan and/or secondary plan, it may be removed from the list of Minor Urban Centres and the Maps of the Niagara Escarpment Plan modified accordingly, without an amendment to the Niagara Escarpment Plan.

Preparation of Municipal Official Plans and/or Secondary Plans

The general Objectives and Development and Growth Objectives of this designation are to be applied in the preparation and approval of official plans and/or secondary plans for Minor Urban Centres.

It is the intention that application of the general Objectives and Development and Growth Objectives will result in clearly defined boundaries for all Minor Urban Centres. These boundaries will maintain and enhance existing rural settlements, villages and hamlets either in their present form, or will provide for growth areas that can be accommodated and developed in an environmentally sustainable manner.

Boundaries

1. The boundaries of Minor Urban Centres that have been clearly defined by the municipality in an approved official plan and/or secondary plan which are not in conflict with the Niagara Escarpment Plan are shown on Maps 1 to 9.

   Any change to expand these boundaries (e.g. expansion) will require an amendment to the Niagara Escarpment Plan. An amendment will not be required to reduce the area of a Minor Urban Centre and show the revised boundary on the Maps of the Niagara Escarpment Plan, if the boundary has been redefined to reduce the area of a Minor Urban Centre by a municipality, in an approved official plan and/or secondary plan.

2. Minor Urban Centres without defined boundaries are shown by a symbol on Maps 1 to 9. Boundaries to establish the growth areas for these Minor Urban Centres will be established by the municipality through the processing and approval of an official plan and/or secondary plan which is not in conflict with the Niagara Escarpment Plan.

   The approved boundary can be added to the Niagara Escarpment Plan Maps without requiring an amendment to the Niagara Escarpment Plan. Any change to expand an approved boundary will require an amendment to the Niagara Escarpment Plan.

Permitted Uses and New Lots

Subject to Part 2, the Development Criteria:

1. The range of permitted uses and the creation of new lots in a Minor Urban Centre will be those in an approved official plan and/or secondary plan not in conflict with the Niagara Escarpment Plan.
2. The range of permitted uses and the creation of new lots for Minor Urban Centres without an approved official plan and/or secondary plan (or where the official plan and/or secondary plan has not been reviewed for conflict) will be subject to the Objectives and Development and Growth Objectives of this designation.

Amendments to Municipal Plans and/or Secondary Plans

Amendments to designations and/or land use policies within the boundaries of an approved official plan and/or secondary plan which are not in conflict with the Niagara Escarpment Plan may be made without requiring an amendment to the Niagara Escarpment Plan provided such an amendment does not involve the Escarpment Natural Area or conflict with the Objectives and Development and Growth Objectives of this designation.

Land Use Control

Land use control within a Minor Urban Centre with an approved official plan and/or secondary plan which is not in conflict with the Niagara Escarpment Plan may be exercised either through by-laws passed under the *Planning Act* or Development Control as authorized under the provisions of the *Niagara Escarpment Planning and Development Act.*

By-laws or by-law amendments must not conflict with the Objectives and Development and Growth Objectives of this designation, and the Development Criteria in Part 2 of the Niagara Escarpment Plan.

Development and Growth Objectives

1. Development and growth, including the creation of new lots, shall not extend into the Escarpment Natural Areas.
2. An exception may be made to include the Escarpment Natural Area within the boundary of a Minor Urban Centre where it is not physically logical to exclude an Escarpment Natural Area from a Minor Urban Centre (e.g. river valley through a village). In this instance the Escarpment Natural Area designation and its policies must be incorporated into the official plan/secondary plan or development proposal.

3. Development and growth should generally not extend into Escarpment Protection Areas but be directed to Escarpment Rural Areas in a manner consistent with Escarpment Rural Area objectives.

4. Development and growth should be limited to minimize land use conflicts (e.g. with agriculture) and, where appropriate, incorporate adequate screening and/or setbacks to reduce the visual impact on the Escarpment landscape (e.g. berming, tree planting, subdued lighting).

5. Development and growth should be minor only, relative to the size and capacity of the settlement to absorb new growth, so that the rural heritage of the community is maintained. A consideration shall be the scale (e.g. floor area, height, design) of new housing and its compatibility with the traditional character of the village.

6. Development and growth should take place as a logical extension of existing development in the form of planned groups rather than linear or scattered development. Expansion in depth rather than extension along existing roads is favoured.

7. Limited infilling may be permitted in the built-up portions of Minor Urban Centres that do not have an approved official plan and/or secondary plan.

8. Development and growth should be compatible with and provide for the protection or restoration of historic features or areas, archaeological sites and structures of architectural significance in accordance with the Heritage Criteria in Part 2.12 of this Plan.

9. Development and growth should be compatible with and provide for the protection of unique ecologic areas, wildlife and fish habitats, streams and water supplies and other environmentally sensitive areas, both inside and adjacent to the Minor Urban Centres.

10. Consideration of new growth and development must include an examination of the specific and cumulative environmental, economic and social effects of providing services (e.g. water, sewage disposal, schools, roads, etc.).

11. Adequate public access to the Escarpment should be provided by such means as parking areas, walkways or pedestrian trails (e.g. the Bruce Trail).

12. Agricultural areas should be protected and maintained when development and growth is being considered.

13. Development and growth should be compatible with adjacent existing Mineral Resource Extraction Area designations and, where appropriate incorporate methods of minimizing land use conflicts (e.g. staging, site design, berming).

14. Municipalities are encouraged to pass sign by-laws to ensure that the cultural heritage features, attractive streetscapes and scenic qualities of Minor Urban Centres are maintained and enhanced.

1.7 Urban Area

This designation identifies Urban Areas in which the Escarpment and closely related lands are located. In some areas the Escarpment is still largely undeveloped although surrounded by existing development (e.g. Hamilton). In other areas urban growth already has encroached substantially on the Escarpment (e.g. former Town of Wiarton).

Objective

To minimize the impact and further encroachment of urban growth on the Escarpment environment.

Criterion for Designation and List of Urban Areas

Urban development and committed urban areas on or adjacent to the Escarpment as provided for in municipal official plans and/or secondary plans.

Urban Area designations are found within the following municipalities:

- City of St. Catharines
- Town of Grimsby
- City of Hamilton (including the former Towns of Ancaster, Dundas and Flamborough, and former City of Stoney Creek)
- City of Burlington
- City of Owen Sound
- Township of Georgian Bluffs (formerly Township of Derby)
- Town of South Bruce Peninsula (formerly Town of Wiarton)
- Municipality of Northern Bruce Peninsula (formerly Village of Lion's Head)

Boundaries

The boundaries of the Urban Area designation generally reflect those areas within a municipality identified for urban development in municipal official plans and/or secondary plans.

Annexation of land by a municipality does not require an amendment to the Niagara Escarpment Plan. However, any change to the designations of the Niagara Escarpment Plan requires a Plan amendment.

Permitted Uses and New Lots

Proposed uses and the creation of new lots may be permitted subject to conformity with Part 2, Development Criteria, the following Development Objectives as incorporated into official plans and/or secondary plans and, where applicable, zoning by-laws that are not in conflict with the Niagara Escarpment Plan.

Changes to permitted uses, expansions and alterations of existing uses or the creation of new lots within the Urban Area designation will not require an amendment to the Niagara Escarpment Plan.

Development Objectives

1. All development should be of an urban design compatible with the visual and natural environment of the Escarpment. Where appropriate, provision for adequate setbacks and screening should be required to minimize the visual impact of urban development on the Escarpment landscape.
2. New development shall not encroach into the Escarpment Natural or Escarpment Protection Areas.
3. New lots shall not be created to include the Escarpment Natural or Escarpment Protection Areas.
4. Lots shall not be enlarged to extend into the Escarpment Natural or Escarpment Protection Areas in order to provide more area for development.
5. New lots may include the Escarpment Natural or Escarpment Protection Areas designation under the following circumstances:
   - a) Correcting conveyances;
   - b) Where the land in the Escarpment Natural Area or Escarpment Protection Areas has, or is to be, acquired by a public body or an approved conservation organization; or
   - c) Enlarging existing lots provided that no further fragmentation of the Escarpment Natural or Escarpment Protection Areas would result and provided there is sufficient area in the Urban Area to accommodate the proposed development.

6. Adequate public access to the Escarpment should be provided by such means as parking areas, walkways or pedestrian trails (e.g. the Bruce Trail).

7. Development proposals should be compatible with and provide for the protection or restoration of historic features or areas, archaeological sites and structures of architectural significance in accordance with Part 2.12.

8. Special attention should be given to the protection and restoration of the former Village of Waterdown now in the City of Hamilton through municipal designation under the *Ontario Heritage Act*.

9. Growth should be compatible with and provide for the protection of unique ecologic areas, wildlife habitats, streams and water supplies and other environmentally sensitive areas both inside and adjacent to Urban Areas.

10. The boundaries of the Escarpment Natural Area and Escarpment Protection Area within the "Waterdown Policy Area" on Map 2 to the Niagara Escarpment Plan are determined by Order in Council 1262/2002.

11. Municipalities are encouraged to pass sign by-laws to ensure that the cultural heritage features, attractive streetscapes and scenic qualities of Urban Areas are maintained and enhanced.

1.8 Escarpment Recreation Area

Designated Recreation Areas are areas of existing or potential recreational development associated with the Escarpment. Such areas may include both seasonal and permanent residences.

Objectives

1. To minimize any adverse effects of recreational activities on the Escarpment environment.

2. To provide areas where new recreational and associated development can be concentrated around established, identified or approved downhill ski centres.

3. To provide areas where new recreational and associated development can be concentrated around established, identified or approved lakeshore cottage areas in Grey and Bruce Counties.

4. To recognize the importance of the Four Seasons Craigleith-Camperdown Recreation Area (in the Town of The Blue Mountains) to the tourism sector of Ontario's economy.

5. To provide for the development of new ski centres or other recreational areas.
6. To ensure that future recreational development is compatible with cultural and natural heritage values (e.g. fisheries and wildlife habitats) in the area.

Criterion For Designation

Established, identified or approved recreational areas (e.g. ski centres, lakeshore cottage areas, resort development and the Four Seasons Craigleith-Camperdown Recreation Area in the Town of The Blue Mountains).

Permitted Uses

Subject to Part 2, Development Criteria, and the requirements of official plans, and/or secondary plans and, where applicable, zoning by-laws that are not in conflict with the Niagara Escarpment Plan, the following uses may be permitted:

1. Existing uses.
2. In ski centres, accessory buildings, structures and facilities (e.g. snow-making pond), signs, and the site modifications required to accommodate them and incidental uses (e.g. golf courses, tennis courts) and the site modifications required to accommodate them provided that any adverse effect on the environment is minimal.
3. In ski centres, facilities such as ski runs, ski lifts, snowmobile trails, slide rides, toboggan runs, ski chalets and commercial development such as lodges, retail stores and service establishments associated with the centre.
4. In lakeshore cottage areas, dwellings, facilities such as marinas, and commercial developments such as lodges, retail stores and service establishments accessory to the cottage recreational development.
5. In the Craigleith-Camperdown and the Castle Glen Recreation Areas, uses as provided for in the Craigleith-Camperdown and the Castle Glen Secondary Plans (in the Town of The Blue Mountains).
6. Uses permitted in Park and Open Space Master/Management Plans which are not in conflict with the Niagara Escarpment Plan.
7. The Bruce Trail corridor including the pedestrian footpath and, where necessary, bridges, boardwalks and other trail-related constructions and unserviced Overnight Rest Areas and Access Points for Bruce Trail users.
8. Nature preserves owned and managed by an approved conservation organization.
9. Signs and billboards, subject to Part 2.2.11.

New Lots

Subject to Part 2, Development Criteria, and the requirements of official plans, secondary plans and/or bylaws that are not in conflict with the Niagara Escarpment Plan new lots may be created for permitted uses. Residential development should occur on lots or blocks created by registered plans of subdivision or condominium or other similar forms of ownership.

Development Objectives

1. Except for plans of subdivision which have been draft or final approved or for development which is permitted in existing secondary plans on the day this Plan was approved, development on prominent Escarpment slopes shall be limited to those recreational facilities such as ski runs, ski lifts or slides which require the slopes for the proper functioning of the operation.
2. Lakeshore cottage areas may extend inland to permit new development in a planned group provided that it does not encroach upon the Escarpment Natural Area or the Escarpment Protection Area designations and does not exceed approximately 200 metres (650 feet) in depth measured from the high water mark.
3. Within lakeshore cottage areas, where proposed lots within a subdivision have no lake frontage, provision shall be made with the municipality (land or cash in lieu), prior to registration, for public lake frontage to be part of or adjacent to the subdivision.
4. Growth should be compatible with and provide for the protection of unique ecologic, historic and archaeological areas, wildlife habitats, streams and water supplies and other environmentally sensitive areas both inside and adjacent to Escarpment Recreation Areas.
5. Recreational uses shall be designed to utilize existing site and topographical conditions, with allowance for minimum regrading, placement/excavation of fill and vegetation removal only if they are essential to the use and only if adverse effects can be mitigated.
6. Municipalities are encouraged to pass sign by-laws to ensure that the cultural heritage features, attractive natural landscapes and scenic qualities of Escarpment Recreation Areas are maintained and enhanced.

Official Plans, Secondary Plans and/or Bylaws

Official plans, secondary plans and/or by-laws for the designated Escarpment Recreation Areas may be amended without requiring an amendment to the Niagara Escarpment Plan provided these amendments are not in conflict with the objectives of the designation and Part 2, Development Criteria.

1.9 Mineral Resource Extraction Area

The Mineral Resource Extraction Area designation includes pits and quarries licensed pursuant to the *Aggregate Resources Act* and areas where mineral resource extraction may be permitted subject to the policies of this Plan.

Objectives

1. To designate licensed Mineral Resource Extraction Areas.
2. To minimize the impact of mineral extraction operations on the Escarpment environment.
3. To provide for areas where new pits and quarries may be established.
4. To ensure that after uses and rehabilitation are compatible with the applicable Plan designation, the surrounding environment and existing uses.
5. To encourage, where possible, the rehabilitated after uses of pits and quarries to be integrated into the Niagara Escarpment Parks and Open Space System.

Criteria for Designation

1. Existing licensed areas.

Permitted Uses

Subject to conformity with Part 2, Development Criteria, and official plans and where applicable, zoning by-laws that are not in conflict with the Niagara Escarpment Plan, the following uses may be permitted:

1. Agricultural operations.
2. Existing uses.
3. Mineral extraction operations licensed pursuant to the *Aggregate Resources Act.*
4. Forest, fisheries and wildlife management.
5. Archaeological activities.
6. Recreational uses (such as trail activities and golf courses) which are oriented toward the land rather than the building of major structures.
7. Essential utility and transportation facilities.
8. Watershed management and flood and erosion control projects carried out or supervised by a public agency.

9. Accessory buildings and facilities normally associated with the mineral extraction operation, such as small scale offices serving the subject site, signage, or crushing and washing facilities. Asphalt plants, concrete plants, brick manufacturing plants and other similar manufacturing uses shall not be permitted.

10. Incidental uses and site modifications required to accommodate them, provided that the impacts of such uses on the natural environment are minimal.

11. Uses permitted in Park and Open Space Master/Management Plans which are not in conflict with the Niagara Escarpment Plan.

12. The Bruce Trail corridor, including the pedestrian footpath and, where necessary, bridges, boardwalks and other trail related constructions and unserviced overnight rest areas and access points for Bruce Trail users.

13. A portable asphalt plant in the area of Part Lot 28, Concession 10, Township of Georgian Bluffs (formerly Township of Keppel), County of Grey as shown on Plan Map 7, for the duration of extraction at the quarry on this property.

14. Single dwellings, and associated accessory uses (e.g. a garage or storage building) subject to the policies for new single dwellings, and associated accessory uses set out in Part 1.9, After Uses, Permitted Uses and New Lots, subsection 8.

15. The Mineral Resource Extraction Area on Part of the South Half of Lot 28, Concession 7, Municipality of Grey Highlands (formerly Township of Euphrasia) County of Grey may permit extraction to 1 metre above the high water table as determined by the Ministry of the Environment, in order to ensure that there will be no interference with the groundwater resource. Any proposal to extract below this level is not permitted unless by an amendment to this Plan.

16. Nature preserves owned and managed by an approved conservation organization.

17. Signs as an accessory use, and the site modifications required to accommodate them, subject to Part 2.2.11.

After Uses

Prior to a change of land use a Mineral Resource Extraction Area will require an amendment to the Niagara Escarpment Plan. The after use of the excavated area shall be compatible with, and have minimal impact upon, the surrounding uses and the objectives of the Niagara Escarpment Plan.

After Uses, Permitted Uses and New Lots

1. Except for progressive rehabilitation, as set out in the Development Criteria for Mineral Resources in Parts 2.11.5, 2.11.6 and 2.11.9 of this Plan, any new lot creation or any change in land use within a Mineral Resource Extraction Area, other than the identified permitted uses, shall require an amendment to the Niagara Escarpment Plan.
2. Except for the identified permitted uses that comply with the provisions of the Development Criteria for Mineral Resources in Part 2.11.5 of this Plan, all after uses shall require an amendment to the Niagara Escarpment Plan and shall be subject to a redesignation of the Mineral Resource Extraction Area designation to the applicable Niagara Escarpment Plan designation as determined through the application of the criteria for designation contained in the Niagara Escarpment Plan.
3. After uses of the Mineral Resource Extraction Area shall be in conformity with the objectives and permitted uses of the applicable redesignation of the Plan as determined through subsection 2 above.
4. Where the rehabilitation is being undertaken by reforestation, the after use shall aim to re-establish a functioning ecosystem similar in condition to the natural ecosystems in the region.
5. The site shall be rehabilitated in accordance with the objectives of the applicable redesignation of the Niagara Escarpment Plan and be compatible with and have minimal impact upon the surrounding natural and visual environment and existing uses.
6. Where the rehabilitation is being undertaken to agriculture, substantially the same acreage and average soil capability for agriculture shall be restored.
7. After uses shall be subject to conformity with Part 2, Development Criteria.

8. Notwithstanding subsection 2 above, the following apply:

    a) A new single dwelling and accessory uses including a cottage industry, a home industry or a home occupation may be permitted on an existing lot of record in a Mineral Resource Extraction Area where the licence has been cancelled and rehabilitation has occurred in a manner consistent with the objectives, policies and development criteria of the Niagara Escarpment Plan and the requirements of the *Aggregate Resources Act;*

    b) Only one single dwelling is permitted on an existing lot of record;

    c) Municipal official plan policies and standards (e.g. lot size) for a new single dwelling must be met;

    d) Municipal and agency permit and approval requirements must be met (e.g. building, access, health and flood and fill regulated);

    e) A new single dwelling should be compatible with existing adjacent Mineral Resource Extraction Area operations and where appropriate, land use conflict should be minimized (e.g. site design, landscaping); and

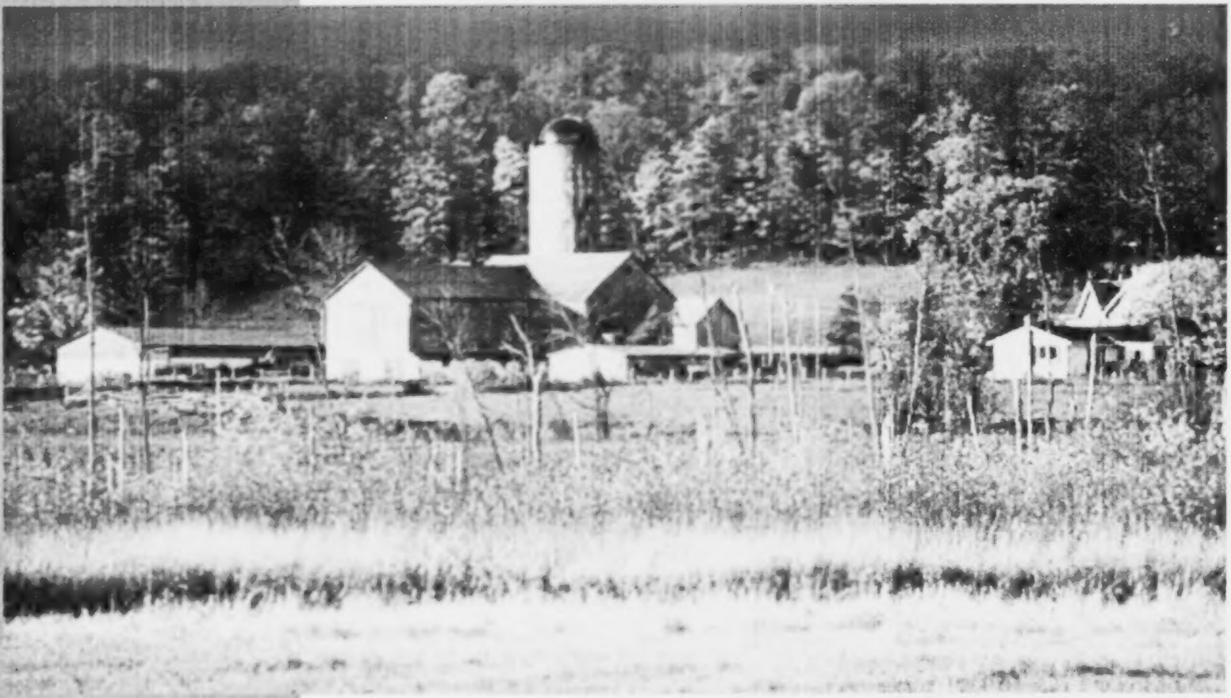
    f) A new single dwelling will not be permitted in a former pit or quarry that has been determined to have been contaminated or constitutes a health risk (e.g. fuel spills, dumping, landfill).

New Mineral Resource Extraction Areas

1. New Mineral Resource Extraction Areas producing less than 20,000 tonnes (22,000 tons) annually may be permitted in the Escarpment Rural Area without an amendment to the Plan.

2. New Mineral Resource Extraction Areas producing more than 20,000 tonnes (22,000 tons) annually may be designated in the Escarpment Rural Area by an amendment to the Plan. Such an amendment will be to effect the change from Escarpment Rural Area to Mineral Resource Extraction Area.

Development Criteria



PART 2
Development Criteria

2.1 Introduction

The development criteria are to be applied to all development within the area of the Niagara Escarpment Plan in conjunction with the other policies of the Plan. These criteria deal with development in a variety of situations, and, therefore, all the criteria will not apply to every development.

In exercising its authority, the Niagara Escarpment Commission shall be consistent with policy statements established under Section 3 of the *Planning Act*. This Plan shall take precedence over the Provincial Policy Statement to the extent of any conflict.

In addition, the Commission shall be consistent with specific provisions of other provincial policies such as the Federal Fish Habitat Management Policy and the Parkland, Open Space and Trails Policy as set out in Section 3.3 of the Greenbelt Plan 2005.

Where the development permit system as established pursuant to the *Niagara Escarpment Planning and Development Act* and its regulations as amended are in effect, the development criteria shall be used in the consideration of development permit applications. Environmental monitoring designed to assess the impact of a development or land use change on the environment may be required as a condition of a development permit.

The development criteria will also be used as a basis for bringing local official plans, secondary plans and, where applicable, zoning bylaws into conformity with this Plan and in the administration of site-plan control approvals.

2.2 General Development Criteria

The objective is to permit reasonable enjoyment by the owners of all lots that can sustain development.

1. Permitted uses may be allowed provided that:
    a) The long term capacity of the site can support the use without a substantial negative impact on Escarpment environmental features such as contours, water quality, water quantity, natural vegetation, soil, wildlife, population, visual attractiveness and cultural heritage features.

    b) The cumulative impact of development will not have serious detrimental effects on the Escarpment environment (e.g. water quality, vegetation, soil, wildlife, and landscape).

    c) The site is not considered hazardous to life or property due to unstable soil conditions or possible flooding.

   d) Development meets applicable federal, provincial and municipal requirements including health and servicing requirements.

   e) Notwithstanding the provisions of subsections a), b), c), and d) above, a property listed as a nature preserve in Appendix 4 of this Plan, acquired by an approved conservation organization shall not be used as a building lot or for any other purpose inconsistent with the maintenance and protection of the natural features and values for which the nature preserve was established.

2. Where a lot is located in more than one designation, development shall be located on that portion of the lot located in the least restrictive designation, except where it is evident that the impact of development on the Escarpment environment would be reduced by locating the development on a portion of the lot located in a more restrictive designation.

3. Private sewage systems and water supplies associated with permitted uses require, where specified by statute, the approval of the Ministry of Environment or its agent, the local Medical Officer of Health, or the authority having jurisdiction in these matters.

4. Any development permitted should be designed and located in such a manner as to preserve the natural, visual and cultural characteristics of the area.

5. Where development involves new roads, road improvements or service corridors, their designation and alignment should be in harmony with the Escarpment landscape.

6. The design of subdivisions, condominiums or other similar forms of residential lot ownership within Urban Areas, Minor Urban Centres and Escarpment Recreation Areas should be in harmony with and maintain the existing character of the Escarpment landscape.

7. Single dwellings are limited to one per lot in the Escarpment Natural, Escarpment Protection and Escarpment Rural Area designations, unless:

   a) The residential use is a mobile or portable dwelling(s) accessory to agriculture and complies with the criteria relating to agriculture.

   b) The approval/construction of a second dwelling is, in the opinion of the implementing authority, the only viable way to preserve the local, provincial or national heritage value of an existing single dwelling; and

      i) The existing single dwelling has been designated and an easement agreement registered under the *Ontario Heritage Act*, or such a dwelling is considered to be of provincial or national heritage value or interest.

ii) The second single dwelling is located on the same existing lot of record as the existing single dwelling to be preserved.

iii) The second single dwelling shall not be located within the Escarpment Natural Area unless the implementing authority has determined that there is no other less restrictive designation within which the new dwelling can be sited.

iv) Municipal official plan policies and standards are met (e.g. lot size).

This policy shall not apply to existing lots of record which already have more than one dwelling unit.

8. Development permitted should be designed and located in such a manner as to provide for or protect access to the Niagara Escarpment including the Bruce Trail Corridor.

9. Bed and Breakfast Homes and Farm Vacation Homes:

a) A maximum of three guest rooms may be provided;

b) Signs identifying Bed and Breakfast Homes and Farm Vacation Homes shall be limited to one and be located only on the property which is the subject of the use;

c) Signs shall have a maximum size of 0.9 square metres;

d) One parking space shall be provided per guest room;

e) Where meals are provided, no food or drink shall be offered or kept for sale to anyone who is not a guest of the Bed and Breakfast Home or Farm Vacation Home; and

f) Notwithstanding a) above, more than three rooms may be permitted in a Bed and Breakfast Home or a Farm Vacation Home in an existing single dwelling of local heritage value or interest. A Bed and Breakfast or a Farm Vacation Home in an existing single dwelling of local heritage value or interest may only operate with more than three rooms as long as it retains the features that caused it to be designated of local heritage value or interest.

Home Business

10. The following additional provisions apply to home businesses as defined by this Plan:

    a) Home businesses shall be confined to the single dwelling or in an addition to the dwelling in the Escarpment Natural Area.

    b) Home businesses in the Escarpment Protection Area, Escarpment Rural Area and Mineral Resource Extraction Area designations as a first option shall be encouraged to locate in the single dwelling or in an addition to the dwelling, but may be conducted in an accessory building where the need for the use of a separate building can be justified. The justification, for a separate building, shall demonstrate to the satisfaction of the implementing authority the following:

        i) Why the home business cannot be established within the existing single dwelling or in an addition to the dwelling;

        ii) That the home business will not result in applications for severance;

        iii) That the building size and design will result in minimal visual impact and not alter the rural character of the property;

        iv) That wells and septic systems can accommodate the use with minimal impact;

        v) That any access and parking requirements can meet engineering and safety standards;

        vi) That municipal transportation networks will not be unreasonably affected;

        vii) That the home business will retain the existing rural and agricultural character of the area and remain incidental and secondary to the principal residential or farm use on the property; and

        viii) Why the home business cannot be appropriately located in a designated Minor Urban Centre or Urban Area.

    c) Home businesses shall normally be limited to one home business per lot.

    d) Where the home business is located within the single dwelling or in an addition to the dwelling not more than 25 per cent of the total floor area including any addition to the dwelling shall be devoted to the use to a maximum of 100 square metres (1,075 square feet).

e) Where the home business is located in an accessory building not more than 100 square metres (1,075 square feet) of the building shall be devoted to the use.

f) In no instance shall there be more than 125 square metres (1,345 square feet) devoted to the use where the home business is located within the single dwelling or in an addition to the dwelling and an accessory building.

g) The total floor area requirements set out in subsections d), e) and f) above shall apply to all home business activities where there is more than one home business on a lot.

h) Where the home business is located in an accessory building the following apply:

- the building shall be sited in the residential cluster which shall generally mean a distance of not more than 30 metres (100 feet) from the single dwelling;
- the use of a common driveway; and
- the use of shared residential services where possible (e.g. septic system for domestic waste only, well, parking).

i) Home businesses shall be subject to the following general requirements:

- home businesses shall be secondary to the primary residential or agricultural use on the lot;
- home businesses shall not alter the cultural landscape of the property and be compatible with the surrounding residential or rural community;
- environmental impacts shall be minimized through compatible design and siting;
- the home business shall be operated by residents of the household on the lot and no more than two additional persons or their two full time equivalents (FTE) who are not members of the household may be employed in the operation of the business on the property;
- goods or products offered as part of a home business must be produced on the lot and not be imported to the property;
- where goods or services are offered only limited public retail sales from the property shall be permitted;
- the production, storage or disposal of waste, toxic or hazardous materials is prohibited;
- outdoor storage or display of goods, materials or products shall be prohibited;

- the home business shall not interfere with television and radio reception; and

- only one unlit sign having a maximum size of 0.9 square metres (9.7 square feet) identifying the home business shall be permitted on the lot.

j) Where the professional service being offered is teaching instruction (e.g. music, dance, art) the number of students attending any lesson shall be limited to 5 and overnight accommodation or boarding of students is prohibited.

k) Where the professional service being offered is home day care the number of children being cared for shall not exceed 5 and overnight accommodation or boarding of children is prohibited.

l) Municipal official plan policies and standards (e.g. lot size, parking, floor area and retail space) for a home business must be met.

m) Municipal and agency permit, licensing and approval requirements must be satisfied (e.g. building, access, health, safety, flood and fill regulations).

n) Where a Development Permit is required, such a Permit will not be transferable to a new owner, but the home business use may be considered through a new application.

o) Where application is not made under sub-section n) by a new owner, the area of the home business shall:

- in the case of the home business located in a single dwelling or in an addition to the dwelling, become part of the floor area of the single dwelling. In no instance shall the floor area be used as a second dwelling unit; and

- in the case of a home business in an accessory building become a non-residential use which satisfies the definition of accessory building or structure in Appendix 2 of this Plan.

Signs

11. The following additional provisions apply to signs where permitted as an accessory use in the Escarpment Natural, Protection, Rural and Mineral Resource Extraction Areas, and in the Escarpment Recreation Area under this Plan:

    a) A sign may be permitted where the sign and its information is subordinate, incidental and directly related to the existing principal use located on the same lot (e.g. home business, farm);

    b) Signs shall not alter the natural features or cultural landscape of the property and shall be compatible with the local topography, surrounding scenic environment and rural or residential community;

    c) Environmental and visual impacts shall be minimized through compatible sign design, materials, colour, siting and landscaping;

    d) Illumination of signs shall be discouraged but where permitted shall be subdued (e.g. shielded, downward directional, not internally lit);

    e) Signs shall normally be limited to one, 0.9 square metre (9.7 square foot) sign-per lot;

    f) Roof signs, signs attached to towers or other similar structures, animated or automated signs, signs affixed to trucks and trailers adjacent to roads are not permitted;

    g) Municipal official plan policies and standards respecting signs must be met; and

    h) Provincial, municipal and agency permit, licensing and approval requirements must be satisfied (e.g. Ministry of Transportation policies, standards in a municipal sign by-law).

    i) With the exception of subsections g) and h), the above restrictions do not apply to the following signs:

        i) Election signs;

        ii) Temporary real estate signs advertising the sale of the property that they are located on;

        iii) Temporary construction site signs;

        iv) No trespassing or warning signs; and

        v) Signs approved, sponsored or required by a public body.

Billboards

11.1 Billboards are any notice, advertising device, or any part thereof whether it contains words or not and shall include any device that is used solely to attract attention, including any temporary or mobile structure used for similar purposes which contains information that is not related to the use of the property that the billboard is located on. The following criteria apply:

a) Billboards are not permitted in Escarpment Natural, Escarpment Protection, Escarpment Rural or Mineral Resource Extraction Areas. In Escarpment Recreation Areas, billboards are not permitted on prominent Escarpment slopes or in places where such billboards would obstruct views associated with prominent Escarpment slopes; and

b) Where billboards may be permitted, only provisions b), c), d), f), g) and h) of subsection 11 apply.

Special Provisions

12. The existing institutional use located in the Escarpment Rural Area designation on part of the West Half of Lot 6, Concession 7 East of Hurontario Street in the Town of Mono, County of Dufferin may be expanded in accordance with Permitted Use # 30 in Part 1.5 of this Plan provided all the following minimum provisions are met:

a) The new building shall be located in proximity to the existing cluster of institutional buildings such that the new facility would form part of the cluster.

b) The new building shall not exceed 3,200 square metres (34,445 square feet) in total floor area not including open courtyards.

c) The new building will be screened and landscaped in accordance with a professional landscape plan which shall include screen and buffer plantings along the perimeter of the property adjacent to Airport Road and along the Fifth Sideroad, and around the new building and its associated parking lots.

d) The preparation of a professional grading and rehabilitation plan showing final contours around the site of the new building and any other areas disturbed or bermed during construction.

e) The facility shall meet the water quality and quantity standards as determined by the Ministry of the Environment under the *Ontario Water Resources Act*.

f) The quality and quantity of water shall continue to be monitored on a regular basis in accordance with the requirements of the Ministry of the Environment under the *Ontario Water Resources Act*.

g) The facility shall not interfere with wells or groundwater on adjacent properties.

h) Water conservation devices shall be installed throughout the facility.

i) A Permit To Take Water shall be obtained from the Ministry of the Environment should the Ministry determine that such a Permit is necessary.

Special Provisions

13. A new heritage and visitor centre may be permitted within the Escarpment Protection Area designation on the East Part Lot 10, Concession 2, Township of Georgian Bluffs (formerly Derby Township), Grey County in accordance with permitted use #29 in Part 1.4 of this Plan provided the following minimum provisions are met:

    a) The new main building shall not exceed 3,720 square metres (40,000 square feet) in total floor area.

    b) The facility may include period buildings which include a 1900's log house, a 1920's house, a mid-19th century house, a schoolhouse, a church, a general store, a barn, sawmill, garages, blacksmith's shop, trails, and incidental facilities and the existing buildings, gardens and facilities located on site.

    c) The new building and the period buildings shall be located within the more or less 12 hectare (30 acre) westerly portion of the property with a minimum buffer area 30 metres (100 feet) to the north, south and west property lines.

Special Provisions

14. A privately-operated educational facility may be permitted within the Escarpment Protection Area designation on Part Lot 9, Concession 2, in the City of Hamilton (former City of Stoney Creek) in accordance with permitted use #30 in Part 1.4 of this Plan, subject to the following minimum provisions:

    a) The private sewage system servicing the use shall have the capacity to properly treat effluent generated on site, in accordance with applicable environmental and health regulations.

    b) The property shall be subject to a municipal Site Plan Control Agreement governing the scale and use of the facility.

Special Provisions

15. A Country Inn which provides a maximum of six rooms to guests and a 26 seat dining facility to serve meals to both patrons of the Inn as well as the general public, may be permitted within the existing single dwelling located on the 44.72 hectare (110.51 acre), being Part Lots 19 and 20, Concession 8 EBR, Municipality of Northern Bruce Peninsula (formerly Lindsay Township), Bruce County, in accordance with permitted use #31 in Part 1.5 of this Plan, subject to the following provisions:

    a) The Inn may provide a maximum of six (6) rooms for overnight guest accommodation, within the original historic single dwelling.

    b) No enlargement to the size of the six rooms beyond the footprint of the original single dwelling, and no additional rooms or accommodation in new or existing facilities external to the existing single dwelling on the lot shall be permitted to accommodate the overnight guests.

    c) Any proposed expansions of the building footprint or changes in use of the building or property beyond that set out within this Section shall be subject to a Plan Amendment.

    d) The provisions of Part 2.3 (Existing Uses) regarding expansion, enlargement, or change in use, shall not apply to the Inn as set out under Permitted Use #31 in Part 1.5, and the provisions within this Section.

    e) Special events such as seminars and workshops that do not involve overnight guests are not permitted, except as may be provided for under Sub-section f) below.

    f) The following matters shall be dealt with and governed by the Niagara Escarpment Commission Development Permit for the Inn:

        i) Number of overnight guests;

        ii) Provision of meals and when and to whom such meals can be served;

        iii) Maximum seating capacity for the dining facility;

        iv) The type, number of, and limitations on special event functions for the Inn and its dining facilities; and

        v) The maximum number of persons involved in the operation of the Inn and its dining facilities.

Special Provisions for North Aldershot Policy Area

16. Notwithstanding the policies of Part 2.2, development may occur in accordance with the land use policies set out in Amendment No. 197 to the City of Burlington Official Plan in the area identified as the North Aldershot Policy Area on Map 3 to the Niagara Escarpment Plan.

2.3 Existing Uses

The objective is generally not to disrupt existing uses.

1. An existing use, building or structure may expand or change in use, or be replaced when it can be sufficiently demonstrated that the objectives of the applicable designation of the Niagara Escarpment Plan are met.
2. Where an existing use has a substantial ecological or visual impact, the property owner shall be encouraged to bring the use into closer conformity with the objectives of the applicable designation of the Niagara Escarpment Plan (e.g. erect a fence around a wrecking yard or install manure storage facilities).
3. An existing use, building or structure may be rebuilt in the same location, of the same exterior size and use without a Niagara Escarpment Development Permit provided provincial and municipal requirements and the provisions of Ontario Regulation 828/90 as amended, are met and in the case of hazard lands, approval is required from the Conservation Authority.
4. An expansion or enlargement shall be minor in proportion to the size and scale of the building or use at the time it became a legally existing use as defined by the Plan, and shall not result in an intensification of the use.
5. An existing use may change to a similar use or more compatible use provided it can be sufficiently demonstrated that the objectives of the applicable designation of the Niagara Escarpment Plan are met.
6. The expansion/enlargement of existing ponds is not permitted unless it is a farm pond and is not located in the Escarpment Natural Area.

7. On existing landfill sites in the Escarpment Natural, Escarpment Protection, Escarpment Rural Areas and Mineral Resource Extraction Area, the following waste related facilities may be permitted without an amendment to the Niagara Escarpment Plan provided it can be demonstrated that the objectives and development criteria of the Niagara Escarpment Plan are met:

   - small scale recycling and/or compost facilities, serving the local community;
   - temporary storage of household wastes (paint, etc.) serving the local community;
   - containers and weight scales; and
   - other incidental uses normally associated with the waste disposal site, serving the local community;

   but does not include:

   - any expansion or alteration to an existing waste disposal site from what has been approved under the *Niagara Escarpment Planning and Development Act;* and the *Environmental Protection Act* and/or the *Environmental Assessment Act* (including any expansion in area or height of a landfill or any change in the type of waste material being disposed of, such as a change from non-hazardous solid industrial waste to municipal waste);
   - incineration facilities (including energy from waste facilities); and
   - large scale packer and/or recycling plants or similar uses.

2.4 Lot Creation

The objective is to direct the formation of new lots to those locations that are the least environmentally sensitive.

1. Lot Creation, including lots created within Urban Areas, Minor Urban Centres and Escarpment Recreation Areas, may be permitted subject to conformity with official plans and/or secondary plans and, where applicable, zoning by-laws that are not in conflict with the Niagara Escarpment Plan, and the criteria set out under Part 2, Development Criteria.
2. New lots to meet residential needs should be created primarily in designated Urban Areas, Minor Urban Centres and Escarpment Recreation Areas.

3. New lots to provide recreational opportunities should be created primarily in designated Escarpment Recreation Areas and in some Minor Urban Centres.

4. Ribbon or strip development should be prevented.

5. The size and configuration of new lots shall be subject to the requirements of official plans and/or secondary plans, and where applicable, zoning bylaws and the objectives of the designation.

6. New lots must satisfy the following criteria:

   a) The location, design, size and density retain the open rural landscape and protect the natural features.

   b) The design is in harmony with the existing heritage features and heritage areas of the Escarpment landscape.

7. Prior to commenting upon new lots, the implementing authority shall consider:

   a) The number, distribution and density of vacant lots in the area;

   b) The additional lots that may be created in conformity with the Plan;

   c) The consequences of the development of the lots with regard to the objectives of the designation; and

   d) Providing for or protecting public access to the Niagara Escarpment including the Bruce Trail corridor.

8. The creation of new lots shall be consistent with all applicable provincial policies and should have regard to federal and municipal requirements.

9. Where a lot is proposed in more than one designation, the severance policy of the least restrictive designation shall apply. There should be sufficient area in the least restrictive designation to accommodate the development.

10. Except for new lots permitted under Part 2.4.14, new lots created by consent shall front onto an existing public road that is of a reasonable standard of construction and generally maintained all year round.

11. Public bodies and private persons are encouraged to consolidate existing vacant lots to establish new lots of such a size as to permit uses consistent with the objectives of the designation in which they are located.

12. Where a portion of an original township lot or half township lot, where the original township lot is 80 hectares or 200 acres or more, includes a Minor Urban Centre, Urban Area or Escarpment Recreation Area, the New Lots policies of the applicable designations will apply only to the area

outside the Minor Urban Centre, Urban Area and Escarpment Recreation Area boundary provided:

a) The lands outside constitute more than 50 per cent of the original township lot, or half lot; and

b) The boundary of the Minor Urban Centre, Urban Area or Escarpment Recreation Area has been clearly defined in an approved official plan and/or secondary plan not in conflict with the Niagara Escarpment Plan.

c) Where the lands lying outside the boundary of a Minor Urban Centre, Urban Area or Escarpment Recreation Area constitute less than 50 per cent of the original township lot, new lots are not permitted.

13. Where a portion of an original township lot or half township lot, where the original township lot is 80 hectares or 200 acres or more, lies outside the Plan area, the lots created outside the Plan area will be considered previous severances.

14. Notwithstanding 12 above, new lots may be created by a public body or an approved conservation organization subject to the following:

a) New lots may be created by a public body through either acquisition, disposal or exchange provided such a lot does not conflict with the new lot policies and severance limits contained within Parts 1.3, 1.4, 1.5, 1.6, 1.7, 1.8, and 1.9, and the provisions of Part 3 of this Plan.

b) Subject to receiving the required municipal approval, new lots may be created by an approved conservation organization to establish a nature preserve, through either acquisition, disposal or exchange provided such a lot does not conflict with the new lot policies and severance limits contained within Parts 1.3, 1.4, 1.5, 1.6, 1.7, 1.8 and 1.9. In the case of an approved conservation organization, Part 3 of this Plan also applies to lands held by such an organization if the property is added to the Niagara Escarpment Parks and Open Space System provided the criteria for such an addition to the Plan are met.

15. Any new lot created as a nature preserve by an approved conservation organization under subsection 14 shall have an appropriate legal restriction registered on the property's title guaranteeing that:

a) The property will be accessible to the public and used as a nature preserve; and

b) The property will be transferred to an appropriate conservation organization or public body should the original approved conservation organization holding the property fail, cease to exist or wish to transfer or dispose of the nature preserve in whole or in part.

16. Where the implementing authority has approved a new lot for the establishment of a nature preserve, the property and details regarding the nature preserve's ownership, size, characteristics and location shall be recorded and listed in Appendix 4 to this Plan. Removal of a nature preserve from the list in Appendix 4 will require an amendment to the Niagara Escarpment Plan.

17. Where more than one single dwelling exists on the same lot, the additional dwelling(s) may be severed provided all the following criteria can be met:

    a) That neither the dwelling to be severed nor the dwelling(s) to be retained were approved on the basis that they would be for temporary use or for farm-help.

    b) That all the dwellings on the property are legally existing uses and have received approval from the municipality.

    c) That both the dwelling to be severed and the dwelling retained are in a reasonable standard for habitation and have been used as a dwelling unit within the year before making application to sever.

    d) A mobile or portable dwelling unit shall not be severed.

    e) That severance of existing dwelling shall not conflict with Part 2.4.19 b).

18. Where more than one single dwelling exists on the same lot and where these dwellings comply with provisions of Part 2.4.17, such dwelling(s) shall be considered as though it were a previous severance for the purpose of applying the new lots policies of the applicable designation (e.g. 2 dwellings would be considered as 2 parcels for the purposes of determining density).

19. a) The approval/construction of a second single dwelling which has been granted by the implementing authority for the purpose of preserving the local, provincial or national heritage value or interest of an existing single dwelling shall preclude the severance of a new lot off the existing lot of record which may have been otherwise permitted by the Niagara Escarpment Plan, subject to Part 2.4.18.

    b) Notwithstanding the above, if the number of severances permitted by the Niagara Escarpment Plan has already been granted or exceeded, the second single dwelling may be permitted, but future severance of a new lot off the existing lot of record is prohibited.

20. A home business shall not be severed in the Escarpment Natural, Escarpment Protection, Escarpment Rural or Mineral Resource Extraction Areas.

Special Provisions for North Aldershot Policy Area

21. Notwithstanding the New Lot provisions of Part 1.4 for the Escarpment Natural Area and the New Lot provisions of Part 1.5 for the Escarpment Protection Area, new lots may be created in accordance with the land use policies set out in Amendment No. 197 to the City of Burlington Official Plan in the area identified as the North Aldershot Policy Area on Map 3 to the Niagara Escarpment Plan.

2.5 New Development Affecting Steep Slopes and Ravines

The objective is to ensure that new development affecting steep slopes (e.g. Escarpment slopes, rock faces, and talus slopes) and ravines does not result in environmental damage or in unsafe conditions.

1. The crest or brow and toe of the slope or ravine shall be established by means of a site inspection by the implementing authority and these lines will be plotted on proposed development plans.
2. The implementing authority will establish a minimum development setback from the brow or crest and toe of a slope or ravine and no disturbance of grades or vegetation below the crest or brow and above the toe shall occur.
3. Where this setback cannot be achieved on an existing lot of record on a steep slope, the setback may be varied or eliminated to the satisfaction of the implementing authority.
4. An engineering report shall be prepared by the applicant if the existing or future stability of the slope or ravine is in question.
5. Structures of any kind unless permitted by the policies of this Plan should not be placed on slopes in excess of 25 per cent (1 in 4 slope).
6. During development, a screen of appropriate fencing material (e.g. snow fencing) should be established approximately three metres (10 feet) from the crest of the slope in order to prevent any dumping.
7. Development (e.g. ski facilities) should be designed in such a way as to minimize the disturbance and ensure the stability of Escarpment and ravine slopes.

2.6 New Development Affecting Water Resources

The objective is to ensure that new development affecting streams, watercourses, lakes, wetlands, and groundwater systems will have minimum individual and cumulative effect on water quality and quantity, and on the Escarpment environment.

Water Quality

1. Changes to the natural drainage should be avoided.
2. No sewage system should be allowed closer than 30 metres (approximately 100 feet) from:
    a) The high water mark of any lake;
    b) The top of a stream bank or ravine; or
    c) The edge of any wetland.

    Where this setback cannot be achieved on an existing lot of record the distance may be varied to the satisfaction of the Ministry of Environment or its designated agent.
3. A setback for other development will be established from each side of a stream, river bed, lakeshore or wetland necessary to maintain existing water quality. The width of this buffer shall be determined by the implementing authority in consultation with the Ministry of Environment, Conservation Authority and the Ministry of Natural Resources, which shall consider:
    a) Soil type;
    b) Types and amounts of vegetation cover;
    c) Slope of the land; and
    d) Fish and wildlife.
4. No alteration of the natural grade or drainage shall occur within the setback where, in the opinion of the implementing authority, such action would adversely affect surface and/or groundwater resources.
5. The cutting of trees within the setback is regulated by Parts 2.7 and 2.9, Development Criteria.
6. Where in the opinion of the implementing authority a potential ground or surface water pollution problem exists, the applicant shall detail through appropriate studies, the detrimental effects and how they will be minimized.
7. During development, the following sediment and erosion control practices should be carried out:

a) Only the smallest practical area of land should be exposed at any time during the development.

b) When land is exposed during development the exposure should be kept to the shortest practical period of time.

c) Natural features such as tree groves, grades and waterways should be preserved.

d) Temporary vegetation and/or mulching should be used to protect critical areas exposed during development.

e) Final landscaping and vegetation should be installed as soon as practical following completion of the development.

f) Topsoil should not be removed from the site, but rather, should be stored and redistributed as a suitable base for seeding and planting.

g) Sediment control devices should be installed to remove sediment from run-off due to changed soil surface conditions during and after construction.

h) Construction in or across a watercourse or wetland should be appropriately timed to minimize impacts on fish and wildlife habitat.

Water Quantity

8. Permitted Uses which involve water taking or undertake stream diversions must be demonstrated to be an essential part of their operation and shall be of a scale and intensity that will not adversely affect water quality, quantity and the Escarpment environment. The implementing authority may require that studies be undertaken to justify the need and amount of water taking and/or diversions and to mitigate impact on the Escarpment environment.

9. When considering whether to allow a use which involves water taking or diversion, the implementing authority shall consider:

    a) The number, distribution, location and intensity of such activities within the watershed in terms of:

        i) The impact on water quality and quantity;

        ii) The cumulative effect on the objectives of the Plan and its designations; and

        iii) The quality and character of natural streams and water supplies.

    b) The water resource management policies/activities and permit requirements of the Ministry of Environment, Ministry of Natural Resources and Conservation Authority.

Wetlands

10. Development shall locate outside wetlands.
11. The limits of the wetland shall be determined by the implementing authority, in consultation with the Ministry of Natural Resources and/or Conservation Authority.
12. In addition to # 1 to 7 (Water Quality), development adjacent to wetlands may be permitted only if it does not result in any of the following:
    a) Loss of wetland functions;
    b) Subsequent demand for future development which will negatively affect existing wetland functions;
    c) Conflict with existing site-specific wetland management practices; and
    d) Loss of contiguous wetland area.
13. A development setback from the wetland area, which is to be maintained or established as a natural vegetative buffer, shall be established by the implementing authority in consultation with the Ministry of Natural Resources.

Fisheries

The objective is to ensure that water resources are maintained in a clean and healthy condition so that there is no net loss of aquatic ecosystems including fish habitat or other natural habitats which depend upon lakes, watercourses, wetlands, and groundwater systems for their existence in accordance with the *Federal Fisheries Act* and any associated protocols or policies that the province and the federal government have established.

14. New Development or redevelopment adjacent to significant fishery resources shall demonstrate the following:
    a) The development shall ensure net gain/no net loss of productive capacity of fish habitat;
    b) Maintenance of minimum baseflow of watercourses;
    c) Maintenance of existing watercourses in a healthy, natural state;
    d) Maintenance of vegetative buffers in accordance with the sensitivity of the fishery resource and development criteria; and
    e) Best available construction and management practices shall be used to protect water quality and quantity, both during and after construction. Treatment of surface run-off to maintain water quality and hydrological characteristics in receiving watercourses shall meet the standards established by the Ministries of Environment and

Natural Resources.

15. Public access to fishery resource areas shall be maintained or, wherever possible, improved.

Flood Plains

16. No building or structure shall be permitted in identified flood plains or fill regulated areas except where the building or structure has been approved by the Municipal Council, the Conservation Authority and/or the Ministry of Natural Resources in accordance with established floodplain management and the development criteria.

17. Watershed management and flood and erosion control projects shall be carried out in accordance with the standards, policies or guidelines of the Ministry of Natural Resources and/or Conservation Authority.

18. Where possible, such projects should be designed and located to avoid or minimize the impact on wetlands, wildlife habitat, source areas, streams, steep slopes and other areas of visual and environmental significance.

19. Water management and flood and erosion control projects should be designed so as not to adversely affect downstream water quality, quantity and adjacent lands.

20. When considering a new project the implementing authority shall consider the number, distribution and location of these works within the watershed in terms of their cumulative effect on the objectives of the applicable designation and watershed management policies/activities of the Ministry of Environment, Ministry of Natural Resources and the Conservation Authority.

Ponds

21. Where it may be permitted, the construction and expansion of ponds shall be in accordance with the following:

    a) The pond(s) shall be designed and located to avoid streams, wetlands, Areas of Natural and Scientific Interest (Life Science), source areas, Escarpment slopes and significant watercourses; and

    b) The implementing authority shall consider the number, distribution and location of ponds within the watershed in terms of their cumulative effect on the objectives of the Plan as well as the quality and character of natural streams and water supplies. It must also meet with the water resource management policies/activities and permit requirements of the Ministry of Environment, Ministry of Natural Resources and Conservation Authority.

22. Where it may be permitted, the construction, expansion and maintenance of ponds shall be in accordance with the following:
    a) The policies of this Plan and the requirements of the Ministry of Environment, Ministry of Natural Resources, Conservation Authority and/or Ministry of Agriculture and Food;
    b) Natural vegetative buffers shall be maintained or established;
    c) The design shall not adversely affect downstream water quality, quantity, adjacent lands and riparian rights; and
    d) Applications which involve the impoundment or damming of surface drainage or spring sources shall be accompanied by detailed design drawings approved by a water resource engineer if structural or safety concerns exist.
23. Existing ponds shall be encouraged to revert to a natural state (e.g. where there are significant environmental impacts or structural problems).
24. Where an existing pond has a substantial ecological or potentially hazardous impact, the property owner shall be encouraged to take corrective measures which may include the installation of a bottom draw-off device or the establishment of a natural vegetative buffer at the edge of the pond.
25. The construction of ponds associated with golf courses shall be supported by the preparation of a water budget analysis which:
    a) Maximizes collection of surface drainage internal to the site; and
    b) Incorporates measures within the overall design of the pond/drainage system which minimizes the demand for and reliance on supplementary water resources (e.g. well/groundwater sources and stream systems).
26. Where possible, ponds should be designed to be off-stream with bottom draw-off control structures.

2.7 New Development Within Wooded Areas

The objective is to ensure that new development should preserve as much as possible of wooded areas.

1. Disturbance of treed areas should be minimized, and proposed developments in heavily treed areas shall have site plan agreements containing specific management details regarding the protection of existing trees.
2. Trees to be retained should be protected by means of snow fencing, wrapping, or other acceptable means during construction (e.g. tree wells).
3. Existing tree cover or other stabilizing vegetation will be maintained on slopes in excess of 25 per cent (1 in 4 slope).

2.8 Wildlife Habitat

The objective is to protect the habitat of endangered (regulated) as prescribed by the *Endangered Species Act*, endangered (not regulated), rare, special concern and threatened, plant and animal species, and minimize the impact of new development on wildlife habitat.

1. New development will not be permitted in identified habitat of endangered (regulated) plant or animal species.
2. Development shall be designed so as to:
    a) Minimize the impacts upon wildlife habitat, in particular, habitats of endangered (not regulated), rare, special concern, and threatened plant or animal species, as identified by on-site evaluation;
    b) Maintain wildlife corridors and linkages with adjacent areas; and
    c) Enhance wildlife habitat wherever possible.

2.9 Forest Management

The objective is to maintain and enhance the forests and associated animal and plant habitats.

1. All cutting of trees requires approval from the implementing authority with the following exceptions:
   - a) The cutting or other destruction, removal or pruning of trees carried out under the *Crown Forest Sustainability Act*, the *Forestry Act*, the *Municipal Act* and the *Conservation Authorities Act*, or in accordance with programs administered by the Ministry of Natural Resources.
   - b) The cutting or other destruction, removal or pruning of trees for domestic personal use provided that:
     - i) The property owner or his/her agent is the tree cutter;
     - ii) No sales of the trees or wood products will take place; and
     - iii) The provisions of Part 2.9.2 e) are met.
   - c) Where there are specialized tree crops, such as Christmas tree farms, nurseries, or orchards, where clear cutting or removal and replanting is a normal part of the operation.
   - d) Where trees create a safety hazard (e.g. dead or diseased trees in danger of falling, trees blocking driveway sight-lines).
   - e) To facilitate approved permitted uses.
2. Approval to cut is conditional upon:
   - a) Using tree cutting methods designed to minimize adverse effects on the natural environment including surface drainage and groundwater.
   - b) Minimizing disruption of habitats for plants and animal species occurring in the area.
   - c) Retaining the diversity of tree species.
   - d) Aiming over the long term to retain or enhance the quality, appearance and productivity of the forest site.
   - e) Minimum cutting within highly sensitive areas such as steep slopes, unstable soils, stream valleys, wetlands and areas of significant groundwater recharge and discharge.
3. Subject to Part 2.9.6, public bodies will ensure that plans for the cutting of trees on public lands are in accordance with sustainable forestry management practices.

4. Reforestation using native tree species shall be encouraged by both provincial and municipal authorities, particularly in areas of shallow and unstable soils, steep slopes, stream valleys, headwaters and groundwater infiltration areas critical to the maintenance of the quality and quantity of natural streams and water supplies; also, to restore open abandoned sub-marginal agricultural land to productivity by growing a forest crop.

5. Any tree cutting program should include natural regeneration or rehabilitation through reforestation where necessary.

6. Tree cutting in an Area of Natural Scientific Interest (Life Science) which is in public ownership will be permitted where it is necessary to maintain the values for which the area was acquired, for emergency access, where existing agreements are in effect or to implement uses permitted in approved Park or Open Space Master/Management Plans which are not in conflict with the Niagara Escarpment Plan.

2.10 Agriculture

The objective is to encourage agricultural uses in agricultural areas, to protect agricultural areas, to permit uses that are compatible with farming and to encourage accessory uses that directly support continued agricultural use.

1. Development and the creation of new lots, including a new lot for a bona fide retiring farmer, should maintain and protect agricultural areas from uses considered incompatible with sustaining the agricultural use and/or land base.

Dwelling Units Accessory to Agriculture

2. A dwelling unit(s) may be permitted accessory to an agricultural operation on the same property as the principal farm house subject to conformity with the following:

   a) Farm-help must be necessary on a seasonal or full-time basis on the farm.

   b) The farmer shall live in the principal farm residence with farming as his/her principal occupation, and in the case of seasonal farming work part-time on the farm.

   c) The dwelling unit(s) shall be mobile or portable, without a basement; or in the case of horse farming, a dwelling unit may be permitted within a farm building, i.e., the horse barn.

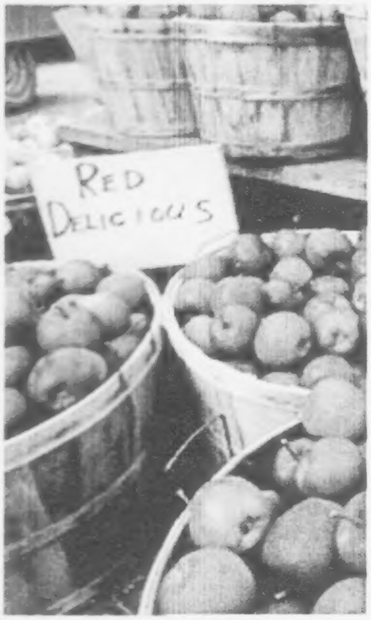
d) The dwelling unit(s) shall be located within the farm cluster and where possible, use the existing farm lane access and a separate lot shall not be created for it.

e) The Development Permit shall be valid for three years only.

f) Continuance of dwelling unit(s) will be considered through reapplication on a three year basis subject to adequate justification that the farm-help continues to be necessary to the farm operation.

g) The dwelling unit(s) shall be removed when no longer required and/or when the Development Permit(s) expires.

h) That any approval or agreement struck between the local municipality and the applicant to permit the additional dwelling unit(s) or farm help shall also be renewed, if necessary, on the anniversary of the Development Permit.



Small-Scale Commercial Uses Accessory to Agriculture

3. Small-scale commercial uses accessory to agriculture must satisfy the following criteria:

a) A small scale commercial use accessory to agriculture may be permitted provided it is subordinate, incidental and exclusively devoted to the principal agricultural use carried out on the farm property by the owner and is not considered a high intensity use out of character with the agricultural area.

b) All buildings, structures and facilities, including parking areas, associated with the small scale commercial use accessory to agriculture shall be designed and located to minimize the impact on the principal agricultural use, adjacent land use and the rural open landscape character.

c) Notwithstanding the policies that apply to wineries in Part 2.10.4 d), the majority of retail sales conducted as part of the small scale commercial use accessory to agriculture shall be limited to the sale of produce grown on the property or produced on the property from the produce grown on the property. This relationship shall be clearly outlined to the satisfaction of the implementing authority in the proposed plans for the development.

d) Signage for small scale commercial uses accessory to agriculture shall be subject to Part 2.2.11 General Development Criteria.

e) A further use incidental to a small scale commercial use accessory to agriculture may be integrated within the accessory operation provided that it does not result in a significant overall intensification of the use. For example, restaurants, banquet and conference facilities shall not be permitted as an incidental use.

Winery and Winery Incidental Uses

4. In addition to the applicable Development Criteria of the Plan, winery and winery incidental uses must satisfy the following criteria:

   a) A winery may be permitted provided the winery farm parcel upon which the winery is proposed is a minimum of 4 hectares (10 acres). The minimum lot size applies to the consideration of a proposed winery on an existing lot of record and not to the creation of a lot upon which a winery may be proposed.

   b) A winery or winery incidental use shall not be severed from the winery farm parcel.

   c) A minimum of 2 hectares (5 acres) of the arable winery farm parcel upon which the winery is proposed shall be capable of and committed to producing grapes that are used in the winery and provided that a minimum of two-thirds of that area is in full grape production for use in the winery by the time the winery is built.

   d) That eighty-five percent (85 per cent) of the grapes used in the production of wine come from grapes grown in the region within which the winery is located. This may be reduced in any one year due to a regional crop failure.

   e) All applications for new or expanded wineries shall be required to submit a traffic analysis that predicts the anticipated volume, scale of vehicles and the capability of the local/regional road to accommodate the anticipated traffic.

   f) All applications for new or expanded wineries shall submit for approval a detailed sewage system design prepared by a qualified individual, such as a sewage system engineer, and may require the expertise of a hydrogeologist.

   g) The maximum size of a winery shall not exceed 1.5 per cent of the winery farm parcel to a maximum of 2,323 square metres (25,000 square feet) – whichever is the lesser. This area calculation shall not include that portion of the winery that is fully underground.

   h) The area for the display and retail sales of wine produced on the winery farm parcel and the sale of farm products grown and/or produced from the farm property, and the tasting area may be in addition to but shall not exceed 25 per cent of the total size of the winery aboveground.

   i) The sale of gift, promotional, and non-local products may be permitted to a maximum of 20 per cent of the retail sales and tasting area and shall be located within the retail sales and tasting area.

j) The sale of gift, promotional, and non-local products meet the requirements of the Liquor Control Board of Ontario or the Alcohol Gaming Commission of Ontario.

k) Educational and historical displays that are directly related to the wine and grape industry to a maximum size of 10 per cent of the total area of the winery aboveground.

l) Limited complimentary food services may be provided within the retail sales and tasting area.

m) Outdoor barbecues and picnics at wineries may be permitted provided that adequate and appropriate on-site water and sanitary services are available to the satisfaction of the Public Health Department and relevant authorities.

n) Signage for wineries shall be subject to Part 2.2.11.

o) Restaurants, banquet halls and conference facilities will not be permitted at wineries.

Winery Incidental Facility

4.1 a) A single, incidental facility to sell wine with limited food service may be permitted at a winery provided the following criteria are met:

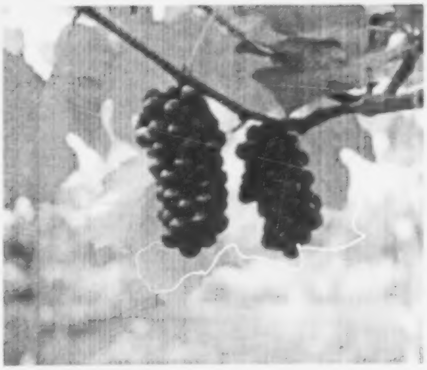
  i) The incidental facility is appropriately licenced under the *Liquor Licence Act;*

  ii) Subject to on-site private sewage systems and water supplies, the maximum number of patrons of the incidental facility is 50 people;

  iii) The incidental facility is located within the winery building and/or decks/patios attached to the winery building(s) and is not a separate, detached structure;

  iv) The size of the incidental facility comprises part of, and is not in addition to, the maximum permitted size of the winery and the permitted size of the retail sales and tasting area as per Sections 2.10.4 g) and h);

  v) If the incidental facility has any outdoor seating space then that area (square footage) comprises part of, and is not in addition to, the total maximum permitted winery size and the permitted size of the retail sales and tasting area as per Sections 2.10.4 g) and h);



vi) The incidental facility may only operate when the winery is open for public tours or public events and as provided for in the *Liquor Licence Act;*

vii) There shall be no new parking facilities or vehicle access infrastructure constructed to serve this incidental facility unless it can be demonstrated to the satisfaction of the implementing authority that the existing parking and vehicle access infrastructure needs to be expanded as an essential requirement for the operation of the incidental facility or if required to meet any provincial or municipal requirements;

viii) Notwithstanding ii) above, municipal servicing may only be permitted:

- if public health authorities or MOE determines it is the only sustainable means of servicing the winery and the incidental facility for reasons of public health or environmental protection; or
- if existing municipal servicing is located adjacent to the winery and a lateral connection is approved by the relevant authorities;

ix) No other buildings or infrastructure are required to serve this incidental facility except as otherwise provided for in ii), iii), vii) and viii) above;

x) Generally, the incidental facility will give priority to serving wine produced at that winery;

xi) The food service provided does not exceed light meals as defined in this Plan; and

xii) All relevant provincial and municipal requirements are met.

Visual Landscape Development at Wineries

4.2 The visual landscape objective of this section (2.10.4.2) for the visual landscape criteria that follow is to ensure that new winery development maintains the visual landscape character associated with the Niagara Escarpment and land in its vicinity by:

- preserving the natural scenery;
- maintaining the open landscape character;
- maintaining the cultural heritage landscapes;
- maintaining natural vegetation cover, slope, terrain and other natural features (e.g. Escarpment Brow and prominent slopes);

- protecting the view of the Escarpment and the land in its vicinity;
- protecting the natural environment; and
- minimizing land use conflicts.

Criteria:

a) All development shall protect the features listed in the visual landscape objective statement.

b) All applicants for new or expanded wineries shall submit a landscape plan with all applications that illustrates how the proposed winery development will maintain or enhance the features/requirements of the visual landscape objective statement.

c) The landscape plan may include the assessment of impact and proposed mitigation actions where, in the opinion of the implementing authority, the proposed development may have a potential impact on the features/requirements of the visual landscape objective statement. As determined by the implementing authority, the landscape plan may also include consideration and mitigation of the effects structural design, height, mass and exterior lighting and the setback from natural or cultural features of the proposed buildings may have on the visual landscape.

d) That wineries and winery incidental uses be required to be generally set back a minimum of 90 metres (295 feet) from the frontage along the municipal road allowance. This setback may be varied by the implementing authority to meet the requirements of the visual landscape objective statement.

e) All applicants for new or expanded wineries shall submit a site plan which includes, as a minimum, the following information:

   - the location of all buildings and structures;
   - the proposed re-grading and land drainage system;
   - all accesses and parking areas;
   - turning areas for commercial vehicles and buses; and
   - outdoor areas planned to be used by the public (patios and decks).

Winery Events

4.3 Indoor and outdoor events that are incidental to the principal use of the property, subject to the following criteria:

a) The event and any related use will not result in the loss of agricultural land and shall be conducted in such a manner as to minimize land use conflicts.

b) The applicant for the event shall demonstrate to the satisfaction of the Public Health authorities or the Ministry of Environment, and relevant authorities, that adequate water and on-site sanitary services are available.

c) The applicant for the event shall demonstrate to the satisfaction of any relevant authorities that appropriate traffic management and on-site parking is available.

d) The event shall be in compliance with municipal requirements.

e) The applicant for the event shall include in the application, information related to items a), b), c) and d) above as well as information on the exterior noise to be created by the event, the proposed hours of operation, and in the case multiple events are proposed, the number of these events to be held annually.

2.11 Mineral Resources

The objective is to minimize the impact of new mineral extraction operations and accessory uses on the Escarpment environment.

1. Extractive operations including wayside pits and quarries and haul routes shall not conflict with the following criteria:

a) The protection of sensitive ecological, geological, historic and archaeological sites or areas.

b) The protection of surface and groundwater resources.

c) The maintenance of agricultural areas, in accordance with the Agricultural Policies of the Provincial Policy Statement (PPS).

d) The minimization of the adverse impact of extractive and accessory operations on existing agricultural or residential development.

e) The preservation of the natural and cultural landscapes as much as possible during extraction and after rehabilitation.

   f) The minimization of the adverse impact of extractive and accessory operations on parks, open space and the existing and optimum routes of the Bruce Trail.

2. For quarries licensed prior to June 12, 1985, no extraction shall take place at any point nearer to the brow of the Escarpment than 90 metres (300 feet) measured horizontally. For new quarry operations approved after the date of approval of the revised Plan, no extraction shall take place at any point nearer to the brow of the Escarpment than 200 metres (600 feet) measured horizontally or any greater setback required by the implementing authority.

3. As a condition of the licence the extractive operation shall be screened while it is in progress and, where possible, prior to extraction in a manner compatible with the surrounding visual environment.

4. Screening shall incorporate the following:

   a) Overburden material supplemented with native tree and shrub plantings should be utilized for screening purposes.

   b) Tree screen plantings are to be of compatible species and sizes to permit only very limited visual contact from the surrounding landscape.

   c) All plantings should be properly maintained to ensure continued survival and good growth rates.

   d) Where the existing forest is adequate to be considered as an effective screen along the perimeter of the site, no additional artificial berming or stock piling of overburden materials will be permitted within the forested area being used as a natural screen.

5. Wherever possible, rehabilitation shall be progressive as the extraction proceeds. Progressive rehabilitation may include the use of off-site material, and where on-site material is not available, minimal amounts of off-site material required to stabilize and revegetate disturbed areas, but shall not include any major regrading toward a planned after use with the deposition of off-site material.

6. The use of off-site material for progressive rehabilitation must also be acceptable to the Ministry of Environment and the Ministry of Natural Resources.

7. Off-site material required for the processing of aggregate products being produced, may be transported to the site, i.e., sands to be mixed with existing aggregate to create a specified aggregate product.

8. All accessory uses to the Mineral Resource Extraction Area operation shall be discontinued and be required to vacate the property as soon as the site is depleted, and on-site processed material has been transported from the property.

9. Rehabilitation shall incorporate the following:

   a) Excess topsoil and overburden are to be retained and stabilized for future rehabilitation.

   b) All excavated pit walls are to be regraded to a slope of 3 to 1 or less except in regions where topsoil and fill materials are scarce. In such areas finished slopes may be no steeper than 2 to 1. Exposed sections of pit or quarry faces may be left unrehabilitated for aesthetic or educational purposes as incorporated into an approved after use plan.

   c) Vegetation, including seeding, crops or trees and shrubs, shall be planted as soon as possible following finished grading.

10. New development adjacent to extractive operations should only be permitted where the new development incorporates suitable methods to minimize land use conflicts (e.g. site design, berming).

Wayside Pits and Quarries

11. In addition to the *Aggregate Resources Act* proposed wayside pits and quarries shall also be subject to the following:

    a) An application for a wayside permit shall be accompanied by a sketch map drawn to scale indicating property features, present pit areas, excavation faces, areas to be excavated and other areas to be used.

    b) An application for a wayside permit shall be accompanied by a rehabilitation statement or plan compatible with the proposed operation and the land use in the area.

    c) The comments of affected municipalities will be solicited on applications for wayside permits for provincial road construction purposes.

    d) The opportunity to use mineral aggregate resources which would not be otherwise commercially developed, including abandoned pits and quarries, shall be considered prior to issuing a wayside permit.

    e) A wayside permit expires on the completion of the project or contract or eighteen (18) months after its issuance, whichever occurs first. Application for renewal or a new permit for the completion of the project or contract will be considered.

    f) An estimated tonnage limit shall be determined based on the requirement of the project or contract and will be placed as a condition on the permit at the time of issuance.

    g) Terms and conditions related to the method of operation and rehabilitation shall also be placed on the permit at the time of issuance.

12. For the Mineral Resource Extraction Areas designated on Map 3 in the west half of Lot 25, Concession V, and the east half Lot 25, Concession IV, in the Town of Halton Hills, the limits of mineral resource extraction to be established through the Development Permit and the *Aggregate Resources Act* licence processes shall contain:

    a) A setback of 15 metres (50 feet) from the southeasterly limit of the Escarpment Natural Area designation (top of bank for the Black Creek tributary) in the East Half of Lot 25, Concession IV; and,

    b) A setback of 15 metres (50 feet) from the top of bank to be established through the forest area along the lot line between Lots 24 and 25, Concession V.

2.12 Heritage

The objective is to inventory, interpret, evaluate, maintain and conserve the cultural heritage features of the Niagara Escarpment Plan Area.

1. Care should be taken to discover unknown and to preserve known archaeological sites (especially native burial sites) and areas where such sites might reasonably be expected to exist.

2. Existing heritage features, areas and properties should be retained and reused. To determine whether such actions are feasible, consideration shall be given to both economic and social benefits and costs.

3. New development including reconstruction, alterations and consideration of a second dwelling under Part 2.2.7.b) should be in harmony with the area's character and the existing heritage features and building(s) in general mass, height and setback and in the treatment of architectural details, especially on building facades.

4. Where new development involves a heritage feature it should express the feature in some way. This may include one or more of the following:

    a) Preservation and display of fragments of the former buildings' features and landscaping;

    b) Marking the traces of former locations, shapes and circulation lines;

    c) Displaying graphic verbal descriptions of the former use; or

    d) Reflection of the former architecture and use in the new development.

5. Where development will destroy or significantly alter cultural landscapes or heritage features, actions should be taken to salvage information on the features being lost. Such actions could include archaeological salvage and excavation, and the recording of buildings or structures through measured drawings or photogrammetry or their physical removal to a different location.

6. Where the implementing authority has approved the construction of a second single dwelling on an existing lot of record to preserve the local, provincial or national heritage value or interest of an existing single dwelling on the same lot, the property and details regarding its size and location shall be recorded and listed in Appendix 3.

   Removal of the property from the list on Appendix 3 shall require an amendment to the Niagara Escarpment Plan.

2.13 Recreation

The objective is to minimize any adverse impact of recreational activities on the Escarpment.

1. All recreational activities should be designed and located so as not to conflict with surrounding land uses (e.g. agriculture) and be compatible with the natural and cultural character of the area.

2. Where they may be permitted, golf courses shall be designed and maintained to minimize impact on the natural and physical Escarpment environment (i.e., minimum regrading, maximum incorporation of natural vegetation, undisturbed and rough areas, minimum fertilizer and irrigation demands).

3. Subject to the applicable criteria of the Plan, a golf course in the Escarpment Rural Area may be permitted to have a small scale restaurant appropriately sized to serve only members and their guests provided that water and sanitary services are to the satisfaction of the relevant authorities and the Public Health Department only if the golf course is one that is open to the public (pay-as-you-play, by private membership or both) with a minimum of nine regulation holes comprising the course. Banquet and conference facilities are not permitted.

4. Intensive recreational activity is intended to occur primarily in the designated Escarpment Recreation Areas and on the public lands of the Niagara Escarpment Parks and Open Space System established for this purpose.

5. Recreational uses should not exceed the carrying capacity of a site or area.

6. Trails will be located and designed so as not to adversely affect adjoining private landowners.

7. Motorized vehicle trails are encouraged to use abandoned pits or quarries, abandoned railway lines or unused township roads where disruption of the natural environment would be minimal.

8. Trails will be located and designed to avoid wherever possible steep slopes, wetlands, erosion-prone soils, agricultural areas and ecologically sensitive areas such as deer-wintering yards and significant plant and animal habitats and Areas of Natural and Scientific Interest.

9. Where existing trails are in locations that cause environmental deterioration, relocations to a less critical location shall be encouraged.

10. Trail design, construction and management should ensure the safety of trail users.

2.14 Areas of Natural and Scientific Interest (ANSIs)

The objective is to protect provincially and regionally significant elements of the natural landscapes of Ontario.

1. Development shall be directed to locate outside of Provincially Significant and Regionally Significant Life Science ANSIs. Minor encroachments will be considered in relation to:

    a) Specific features for which the ANSIs have been identified;

    b) Protection, natural heritage appreciation, scientific study or educational values and their maintenance; and

    c) Whether appropriate mitigative measures can be applied to protect ANSI values.

2. A setback for development shall be established for Provincially and Regionally Significant Life Science ANSIs or features therein wherever it may be determined that such setback is necessary to maintain the protection, natural heritage appreciation, scientific study, or educational values of such areas. The setback shall be established by the implementing authority in consultation with the Ministry of Natural Resources.

3. In Provincially Significant Earth Science ANSIs development will be considered, provided that:

    a) Development does not significantly alter the natural topography or geological features of the Earth Science ANSI; and

    b) Methods are employed to minimize the impact of the use on the values for which the site has been identified.

2.15 Transportation and Utilities

The objective is to design and locate new and expanded transportation and utility facilities so the least possible change occurs in the environment and the natural and cultural landscape.

1. All new and reconstructed transportation and utility facilities shall be designed and located to minimize the impact on the Escarpment environment and be consistent with the objectives of this Plan. Examples of such site and design guidelines include the following:
   a) Blasting, grading and tree removal should be minimized where possible through realignment and utilization of devices such as curbs and gutters, retaining walls and tree wells.

   b) Finished slopes should be graded to a 2 to 1 slope minimum and planted; large cuts should be terraced to minimize surface erosion and slope failure.

   c) Site rehabilitation should use native species of vegetation and blend into the surrounding landscape.

   d) Vegetation screens should be used where feasible.

   e) Transportation and utility structures should be sited and designed to minimize visual impact.

   f) A development setback from the Escarpment brow for utility structures will be established by the implementing authority to minimize visual impacts.

   g) Transmission towers (e.g. microwave and television towers) should be located in areas where similar facilities exist provided the areas carrying capacity is not exceeded.

   h) The visual impact of utility structures and service roads should be minimized by siting, structural design, colouration and landscape planting in order to minimize the impact on the Escarpment environment.

   i) Transportation and utility facilities should be sited and designed to avoid or minimize the impacts on parks, open space and the Bruce Trail. Where Trail impacts cannot be avoided the objective will be to provide for an acceptable, safe alternative.

2. New transportation and utility facilities should avoid Escarpment Natural Areas.

2.16 The Bruce Trail

General Provisions

The objective is to design and locate uses within the Bruce Trail corridor in an environmentally sound manner:

1. The Trail shall be designed and located within the corridor so as to:
    a) Minimize potential conflicts with adjacent private landowners and surrounding land uses (e.g. agriculture, housing); and
    b) Comply with municipal official plans and by-laws (where applicable).
2. All uses within the corridor shall be designed to minimize the need for environmental change (e.g. tree removal).
3. All Trail activities shall be compatible with the natural and cultural character of the area, avoiding wherever possible the need for major engineering works and site modifications over the long term.
4. In locations which are particularly sensitive to foot traffic, or which experience heavy use, periodic reroutes of the Trail may be necessary to allow for natural regeneration and minimize negative environmental impacts.
5. All uses within the Trail corridor shall be located and designed, where possible, to avoid steep slopes, wetlands, erosion prone soils and ecologically sensitive areas such as sensitive plant and animal habitats and sensitive areas within Areas of Natural and Scientific Interest.

Specific Provisions

Overnight Rest Areas

6. The development of Overnight Rest Areas shall be subject to the General Provisions of Part 2.16 and the following:
7. Overnight Rest Areas should not be sited closer together than 10 kilometres (6.3 miles). Locational preference for Overnight Rest Areas will be given to their development outside Escarpment Natural Areas on existing public parkland within the Niagara Escarpment Parks and Open Space System or on properties owned by the Bruce Trail Association.
8. Overnight Rest Areas shall be managed as primitive unserviced campsites. Such an area would normally consist of three to six clearings for tents, a fireplace, water source and latrine. Municipal/Provincial regulations governing fires, water supplies and waste disposal shall apply.

9. To discourage abuse by non-hikers, Overnight Rest Areas should be separated from the Bruce Trail main Trail, and scenic or historic attractions. A minimum 500 metre (1,650 foot) separation from roads and other points of vehicular access will normally be required.

Bruce Trail Access Points

10. The development of Bruce Trail Access Points shall be subject to the General Provisions of Part 2.16 and the following:

11. Locational preference for Bruce Trail Access Points will be given to their development outside Escarpment Natural Areas on existing public parkland within the Niagara Escarpment Parks and Open Space System or on properties owned by the Bruce Trail Association.

12. Secondary Bruce Trail Access Points may occur between Escarpment Parks or Open Space provided the following design standards can be met:

    a) Secondary Access Points should generally be located within 500 metres (1,650 feet) of the Bruce Trail and be connected by a side trail;

    b) Secondary Access Points should be located a minimum of 50 metres (164 feet) from residences, sensitive features or other adjacent uses (e.g. agriculture) which may be adversely affected by increased access;

    c) Secondary Access Points should be limited in size and accommodate a maximum of 20 vehicles;

    d) Where necessary Secondary Access Point parking areas should be fenced and visually buffered with berms and/or vegetative screening;

    e) Secondary Access Points shall not be established in remote areas, or near sensitive areas or features where natural and cultural values might be endangered or compromised by increased public access; and

    f) The location and design of Secondary Access Points shall satisfy all municipal and provincial road access requirements (e.g. sight-lines, drainage).

The Niagara Escarpment Parks and Open Space System

PART 3
The Niagara Escarpment Parks and Open Space System

3.1 The Niagara Escarpment Parks and Open Space System

Part 3 of this Plan sets out policies for a Niagara Escarpment Parks and Open Space System as a framework for the establishment and coordination of a system of publicly owned lands on the Escarpment as well as the Bruce Trail.

Appendix 1 briefly describes each park and open space area in the System.

There are in excess of 130 existing and proposed parks and open space areas within the System. The majority are or will be linked by the Bruce Trail. The System is shown on Map 10.

The Ministry of Natural Resources coordinates the development and administration of the Niagara Escarpment Parks and Open Space System.

The Niagara Escarpment Parks and Open Space System is owned and managed through the continued cooperation of seven conservation authorities, the Ministry of Natural Resources, the Ontario Heritage Trust, the federal Department of the Environment - Parks Canada, the St. Lawrence Seaway Authority, the Niagara Parks Commission, the Royal Botanical Gardens, municipalities and other bodies capable of managing areas in the public interest (e.g. the Bruce Trail Association, local service clubs, approved conservation organizations).

Excluding land purchased for the Bruce Trail corridor, Maps 1 to 9 identify Public Land (in the Parks and Open Space System) with an overlay. This overlay is considered to be part of the Niagara Escarpment Plan but is not a land use designation however, lands in the Parks and Open Space System are subject to the policies of Part 3 of the Plan.

3.1.1 Objectives

The objectives of the Niagara Escarpment Parks and Open Space System:

1. To protect unique ecological and historical areas;
2. To provide adequate opportunities for outdoor education and recreation;
3. To provide for adequate public access to the Niagara Escarpment;
4. To complete a public system of major parks and open space through additional land acquisition and park and open space planning;
5. To secure a route for the Bruce Trail;
6. To maintain and enhance the natural environment of the Niagara Escarpment;
7. To support tourism by providing opportunities on public land for discovery and enjoyment by Ontario's residents and visitors.

8. To provide a common understanding and appreciation of the Niagara Escarpment; and

9. To show leadership in supporting and promoting the principles of the Niagara Escarpment's UNESCO World Biosphere Reserve Designation through sustainable park planning, ecological management, community involvement, environmental monitoring, research and education.

3.1.2 Parks and Open Space System Concept

The System, which is linear in nature, is based on public lands acquired to protect distinctive features and significant areas along the Escarpment. Feature areas are waterfalls, distinctive landforms associated with the Escarpment and special plant communities and animal habitats. Historical and archaeological sites, often found associated with these feature areas, are also incorporated.

The Bruce Trail corridor serves as the common public linkage tying the parks, open space areas, distinctive natural features and landforms together into the System.

As noted in Part 3.1 the System will consist of lands owned and/or managed by a number of public bodies or approved conservation organizations including, but not limited to, the Ministry of Natural Resources, seven conservation authorities, the Niagara Parks Commission, the federal Department of the Environment – Parks Canada, the St. Lawrence Seaway Authority, the Ontario Heritage Trust, and the Bruce Trail Association and municipalities. The System includes lands that are considered by their managing agencies as public parks, such as provincial parks, certain conservation areas and municipal parks. In addition several areas are included which are not considered to be parks, such as certain conservation authority lands, county forests and the Bruce Trail. Including these lands advances the objective of protecting important Escarpment features and provides public access and opportunities for outdoor education and recreation.

Nodal Parks

Because of the diverse environments found along the Escarpment, there are regional differences within the Parks and Open Space System. To fully exploit these differences for the public benefit and to provide destination, and starting points within the Parks and Open Space System, ten focal areas called Nodal Parks have been selected to serve segments of the Escarpment.

These are:

- Bruce Peninsula National Park
- Spirit Rock Conservation Area
- Inglis Falls Conservation Area
- Pretty River Valley Provincial Park
- Mono Cliffs Provincial Park
- Terra Cotta Conservation Area
- Crawford Lake/Rattlesnake Point Conservation Area
- Royal Botanical Gardens
- Dundas Valley Conservation Area
- Balls Falls Conservation Area

New Nodal Parks may be added to the list or existing Nodal Parks replaced without requiring an Amendment to the Niagara Escarpment Plan provided the Ministry of Natural Resources and Niagara Escarpment Commission are satisfied following public and park agency consultation that such a modification would be consistent with the Parks and Open Space System Objectives in Part 3.1.1 and the Nodal Park concept outlined under Part 3.1.2.

A Nodal Park may contain facilities and support uses directly related to its administrative role in the Parks and Open Space System as outlined in Part 3.1.2.

Administratively, Nodal Parks perform the function of visitor reception and information dissemination concerning park and open space activities, points of interest, and attractions in surrounding Escarpment areas and communities. Elements of the program include:

- Orientation – to tell visitors where they are in relation to other parks, open space areas, trails, natural features and points of interest.
- Education – to stimulate an understanding of the Niagara Escarpment and its many natural and cultural values (e.g. Biosphere Reserve).
- Interpretation – to familiarize visitors with the features of any given park or open space area.
- Recreation – to identify and provide information on how to participate in nearby Escarpment recreational activities.

Literature promoting the Escarpment, the Plan and the Niagara Escarpment Parks and Open Space System would be available at the Nodal Parks in order to promote the distinctiveness and visual identity of the System.

3.1.3 Policies

The strength and public image of the Niagara Escarpment Parks and Open Space System are entirely dependent upon the cooperation of the various park and open space management agencies in complying with the policies of the Niagara Escarpment Plan. Coordination and consistency of purpose, management and identity for individual parks and open space areas and for the Niagara Escarpment Parks and Open Space System will be achieved through:

a) The common pursuit, by all park and open space management agencies, of the objectives of the System;

b) The common application of a set of park and open space planning and management policies to individual parks and open space areas within the System; and

c) Encouraging the use of the Niagara Escarpment Program logo on park and open space signs and literature to identify public lands within the Parks and Open Space System.

Allowance will be made for the other objectives of the numerous public park and open space agencies in the System.

A Niagara Escarpment Parks and Open Space System Manual will be prepared which sets out minimum standards and general guidelines for all park and open space agencies including the Bruce Trail Association. The Manual will be prepared by the Ministry of Natural Resources in consultation with all the public park and open space agencies concerned and the Niagara Escarpment Commission.

The planning, design, development, maintenance and management of the Bruce Trail will be implemented in accordance with the provisions of the Niagara Escarpment Plan and management agreements with partner agencies.

3.1.4 Parks and Open Space Classification Policy

Parks and open space in the Niagara Escarpment Parks and Open Space System will be assigned a classification, based on the predominant characteristics of the property. The classifications, as noted in Appendix 1 and on Map 10, will serve as a guide to management and use of the park or open space area and will be subject to confirmation at the time Park or Open Space Master/Management Plans are prepared or revised. Exceptions to the classification policy include lands held by the federal Department of the Environment – Parks Canada, the St. Lawrence Seaway Authority and lands acquired specifically for the Bruce Trail corridor.

Classifications will ensure the maintenance of the variety and diversity intended in the System. It is recognized that some existing uses within parks or open space areas may not conform exactly to the policies of their assigned classification.

In this regard, a building, structure or facility (e.g. existing ski area) may expand, change in use, be replaced or be upgraded when it can be sufficiently demonstrated that the Objectives of the applicable Niagara Escarpment Plan designation in Part 1, the requirements of Part 2.3 of the Plan and the objectives of the Niagara Escarpment Parks and Open Space System in Part 3.1.1. can be met. The preparation or revision of any Park Master/Management Plan shall address any proposed expansion of existing uses.

Managing agencies will be encouraged to bring parks or open space areas into conformity over a number of years, especially where monitoring shows that existing uses have exceeded the carrying capacity of the site or area. It is also recognized that some parks or open space areas may be managed in pursuit of objectives such as flood control and resource production, in addition to those presented in Part 3.1.1. Where that is the case, habitat protection and scenic values, as well as the Objectives of Part 3 of this Plan, will be taken into account in the Park Master/Management Plan or management of the area.

Off road, power-driven, recreational vehicles are not permitted in Escarpment parks.

There are six park and open space classes:

- Nature Reserve
- Natural Environment
- Recreation
- Historical
- Escarpment Access
- Resource Management Area

The following brief descriptions form a basis upon which the managing agencies will develop more detailed guidelines for the classification, planning and management of the parks and open space in the System. More detailed guidelines will be included in the Niagara Escarpment Parks and Open Space System Manual.

Where camping is suggested as an appropriate use in the following classifications, it is understood that camping (car or overnight) includes but is not necessarily limited to, depending on the provisions of any master/ management plan, campgrounds, temporary yurts, tents, lean-to's and unserviced camper's cabins.

Nature Reserve

These are areas which represent the most significant and the distinctive natural areas and landforms found along the Niagara Escarpment. These areas serve to protect selected Areas of Natural and Scientific Interest. Management practices and uses in a nature reserve will ensure that the features and values for which the reserve was established remain protected in perpetuity.

Access to these areas will not be widely promoted and activities will be limited to those which can further scientific understanding and education (e.g. scientific research, natural history interpretation, and nature trails or the Bruce Trail). The minimum of facilities necessary to support these activities will be provided.

Natural Environment

These lands are characterized by the variety and combination of outstanding natural features, historical resources and outstanding landscape.

Natural Environment areas provide opportunities for the protection of important natural and cultural features. Activities may range from back-country hiking in the interior of these areas to car-camping and day use activities in the more developed or accessible areas.

Recreation

These are some of the best recreational environments along the Escarpment. They either occur naturally or are capable of being developed to provide a wide variety of outdoor recreation opportunities in attractive Escarpment surroundings. In Recreation areas, management and development of resources is appropriate in order to provide the recreational environment and facilities required to support a wide variety of activities. These may be day use only. Facilities for overnight camping may also be provided including campgrounds, temporary yurts and tents, lean-to's and unserviced camper's cabins.

Historical

These areas are intended to protect and interpret the distinctive resources representative of the Escarpment's archaeological and historical heritage. Development of facilities in these lands will be oriented primarily to the protection, enhancement, and interpretation of the archaeological or historical characteristics of the site.

Escarpment Access

These areas will complement the larger, and in some cases, more developed parks or open space areas, by providing opportunities for public access to the Niagara Escarpment at appropriate points along the Escarpment. These areas will normally be small and may provide modest facilities to support day use activities at view points, rest areas, trailheads, picnic sites, scenic areas, fishing areas, beaches, or other points of interest.

New Escarpment Accesses may be established by the Ministry of Natural Resources, conservation authorities, or on the initiative of local municipalities or organizations such as service clubs.

Not all Escarpment Accesses are identified in Appendix 1 or on Map 10 since new Accesses at strategic locations may be secured or acquired from time to time where a gap in the System has been identified (e.g. lack of public access).

Resource Management Areas

This classification includes certain public lands that are managed primarily to provide resource related benefits such as forest products, fish and wildlife, or flood control.

These areas will provide many benefits, including recreation opportunities, the protection of important natural and cultural resources and resource products. In most cases, these areas will undergo more intensive resource management than the other classifications.

3.1.4.1 Recreation and Commercial Uses in Parks and Open Space

Where permitted by the Park Classification, recreation uses in parks and open space, other than in Recreation Parks, shall be incidental or secondary to the protection of land within the park or open space area for public enjoyment and as habitat for wildlife and plant communities. The introduction of intensive uses like downhill ski slopes, golf courses, golf driving ranges, banquet halls, full service restaurants, lodges, hotels, conference centres, retreats, schools, spas and buildings with provision for fully serviced overnight accommodation, as distinct from camping, shall not be permitted. Small scale retail and visitor service facilities may be permitted, especially if developed in conjunction with interpretative displays and information.

While public use of Recreation Parks may include more intensive recreational activities than other parks in the Niagara Escarpment Parks and Open Space System, such activities shall be especially suited to the natural character of the particular park, must be situated in zones identified in an approved master/management plan and must be conducted in an environmentally sustainable manner. Development of facilities must be designed and undertaken in a way that will minimize the environmental impact of the development.

In Recreation Parks, visitor service facilities with a retail component may be permitted, but intensive commercial facilities such as full service restaurants, banquet halls, lodges, hotels, conference centres, retreats, schools, spas and buildings with provision for fully serviced overnight accommodation, as distinct from camping, shall not be permitted. However small scale special purpose facilities designed and operated in support of natural history, environmental and UNESCO Biosphere Reserve related programming, which may include fully serviced overnight accommodations with meals for facility guests only, may be allowed as an accessory use if specifically permitted in an approved Parks Master/Management Plan.

3.1.5 Parks and Open Space Zoning Policy

Zoning is essential to the orderly planning, development and effective management of a park or open space area. *Zoning* recognizes that every park or open space area includes a particular combination of significant resources, features and potential or existing development. *Zoning* will assign uses to lands based on their significance for protection and their potential for recreation within the context of the Classification Policy. It is anticipated that plans for existing park or open space areas may not conform exactly with this policy. Agencies will be encouraged to bring such plans into conformity over a number of years when park and open space plans are renewed, updated or reviewed for conflict with the Niagara Escarpment Plan.

The brief description of the six zones that follows will be expanded by the management agencies as a component of the Niagara Escarpment Parks and Open Space System Manual:

1. ***Nature Reserve Zones*** include significant natural features or areas which require careful management to ensure the long term protection of these natural values.

2. ***Natural Zones*** include aesthetic landscapes in which a minimum of development is permitted to support low to moderate intensity recreational activities.

3. ***Access Zones*** serve as staging areas (e.g. trailheads, parking lots) where minimal facilities support the use of Nature Reserve Zones and relatively undeveloped Natural and Historical Zones.

4. ***Historical Zones:*** include significant archaeological or historical features or areas which require management that will ensure the long term protection of the significant values.

5. ***Development Zones:*** provide the main access to the park and open space and facilities and services to support the recreational activities available (e.g. campgrounds, picnic areas, maintenance facilities).

6. ***Resource Management Zones:*** provide for intensive resource management (e.g. forest management, fisheries management, water management, wildlife management, multiple use management).

The zones can be applied to all park and open space classes, except in the case of Natural Zones, Development Zones and Resource Management Zones which are not permitted in the Nature Reserve class.

In addition, Resource Management Zones will not be established in Provincial Parks or on Public Lands in the Niagara Escarpment Parks and Open Space System identified as being in an Area of Natural and Scientific Interest (Life Science) with the following exceptions:

a) Where existing forestry agreements are in effect;

b) To facilitate uses permitted under existing approved Parks Master/Management Plans;

c) To maintain or protect the unique features of an Area of Natural or Scientific Interest, where such features would otherwise disappear without active management;

d) For emergency access (e.g. fire protection); and

e) On public lands included in the Resource Management Area Class.

Other zones may be established and applied in specific circumstances to resolve special planning or management problems which cannot be accommodated by the above zones.

3.1.6 Master/Management Planning Policy

1. Management agencies will prepare plans for each park or open space in the Niagara Escarpment Parks and Open Space System. Each Plan will establish policy guidelines for long term protection, development and management of the park or open space area. Agencies involved with specific park or open space plans must ensure that the implementation of the plan and operation of the park or open space area meet the requirements of the *Environmental Assessment Act*.
2. The land use designations of the Niagara Escarpment Plan and Development Criteria in Part 2 will be used as a guide in the planning process instead of a final statement on permitted uses. Zoning developed through the park and open space planning process takes precedence over land use designations in the Niagara Escarpment Plan once a Parks Master/Management Plan is approved and not in conflict with the Niagara Escarpment Plan.
3. Parks or open space areas without a plan are subject to the land use policy designations and Development Criteria of the Niagara Escarpment Plan.
4. Park and open space plans will provide for the zoning of parks and open space and appropriate management prescriptions for each zone.
5. The existing and optimum route of the Bruce Trail through the park and open space area shall be identified as the Bruce Trail Corridor in Parks Master/Management Plans and managed in cooperation with the Bruce Trail Association.
6. A change in the classification of a park or open space area as a result of the master/management planning process shall not require an amendment to the Niagara Escarpment Plan.
7. For a Parks Master/Management Plan not in conflict with the Niagara Escarpment Plan, undertakings approved within the Parks Master/Management Plan may be exempted from Development Control.
8. Parks Master/Management Plans will recognize that parks and open space areas are part of the UNESCO Niagara Escarpment World Biosphere Reserve and will include policies that recognize the Biosphere Reserve Designation.

3.2 The Bruce Trail

The Bruce Trail is an essential component of the Niagara Escarpment Parks and Open Space System linking parks, open space areas and natural features through the establishment of a Trail corridor in conjunction with Bruce Trail Access Points and Overnight Rest Areas. The long term goal is to secure a permanent corridor for the Bruce Trail along its entire length.

Where the route of the Bruce Trail does not follow the optimum route or where the optimum route has become available because the opportunity for acquisition has occurred, the method of securing the Trail will be fee simple acquisition and lesser rights will be acquired where appropriate. Acquisition will occur on a willing seller/buyer basis.

The Optimum Route of the Bruce Trail shall be determined by the Bruce Trail Association and the Development Criteria in Part 2.16 of the Niagara Escarpment Plan. The process of final corridor selection and acquisition from willing sellers shall include consultations with partner agencies.

The Bruce Trail Association is responsible for planning, designing, developing, maintaining and managing the Trail Corridor in accordance with the provisions of the Niagara Escarpment Plan.

Securing a continuous route for the Bruce Trail will be accorded the same priority as establishing and completing the other parks and open space areas of the Niagara Escarpment Parks and Open Space System.

3.3 Municipal Parks and Open Space

Municipal parks and open space not identified in Appendix 1 or on Map 10 may, upon request by the municipality and with agreement of the Ministry of Natural Resources and the Niagara Escarpment Commission, be included in the Niagara Escarpment Parks and Open Space System.

Such a park or open space area could be added to the Plan and Plan Maps and be considered Public Land (in the Parks and Open Space System) without requiring a Niagara Escarpment Plan Amendment provided the municipality or managing agency (e.g. local service club) was prepared to plan and manage the lands in accordance with Parts 3.1.4, 3.1.5 and 3.1.6.

In determining whether or not a municipal park or open space area should be part of the System the Ministry of Natural Resources and Niagara Escarpment Commission would have to be satisfied that the addition met the Objectives in Part 3.1.1 and Planning Concept outlined in Part 3.1.2.

3.4 Land Acquisition and Land Disposal

Acquisition

Where lands have been acquired under the Niagara Escarpment Land Acquisition and Stewardship Program, the Natural Areas Protection Program, or a successor to these programs, to add to a park or open space area identified in Appendix 1, such lands upon purchase are considered Public Land in the Parks and Open Space System and subject to the policies of Part 3. A Niagara Escarpment Plan amendment is not required to include such lands on the Plan maps.

Disposal

Public land (in the Parks and open Space System) as identified on Maps 1 to 9 or lands acquired to secure the Bruce Trail Corridor may be disposed of and removed from the public land base without a Niagara Escarpment Plan Amendment provided that the following four criteria are met:

1. The disposal is considered minor in nature and would not result in the removal of a park or open space lands from the System or change the boundary of a park or open space area in a significant manner. In this regard minor shall generally mean parcels of 2 hectares (5 acres) or less.
2. The disposal must be in conformity with land use provisions, new lot policies and development criteria of Parts 1 and 2 of the Niagara Escarpment Plan.
3. The disposal can be justified as being beneficial to the Escarpment Parks and Open Space Program (e.g. exchanging surplus lands for lands having a higher environmental or recreational priority).
4. The disposal will not detrimentally affect the public land base, its future use or adjacent properties.

Subject to Part 2.4.14 (lot creation), exceptions to the criteria listed above will be for the disposal of land in instances where more land than necessary had to be acquired to complete a Parks and Open Space System purchase after June 12, 1985, or a master/management plan not in conflict with the Niagara Escarpment Plan identifies and justifies the sale of such land.

3.5 Addition or Deletion of Parks or Open Space

1. New parks or open space areas may be added to Plan and the Plan Maps without requiring a Niagara Escarpment Plan amendment provided the Ministry of Natural Resources and the Niagara Escarpment Commission are satisfied that such an addition would satisfy the Parks and Open Space System Objectives. The managing agency must agree to the addition and be prepared to plan the land in accordance with Parts 3.1.4, 3.1.5 and 3.1.6.

2. An amendment to the Niagara Escarpment Plan will be required to remove a Park or Open Space Area from the Niagara Escarpment Parks and Open Space System.

Left: Cheltenham Badlands, Caledon

Appendices

APPENDIX 1 Niagara Escarpment Parks and Open Space System

APPENDIX 2 Definitions

APPENDIX 3 Residential Heritage Properties Listing

APPENDIX 4 Nature Preserve Properties Listing

APPENDIX 1

Niagara Escarpment Parks And Open Space System

Appendix 1 which follows is a brief description of the parks and open space areas presently in the Niagara Escarpment Parks and Open Space System. Parks or open space areas marked with an asterisk are designated Nodal Parks in the System. The classification of each park or open space area is noted in brackets following the name.

Changes to the Parks and Open Space descriptions which follow the classifications do not require a Plan amendment as a result of land acquisition and park and open space planning activities. These descriptions may be updated as the System shown on Map 10 develops and matures.

A. BRUCE PENINSULA

1. Fathom Five National Marine Park

(National Park)

Canada's first National Marine Park embraces and conserves the Tobermory Islands and the surrounding waters and lakebed, caves, cliffs, historic lighthouses and shipwrecks and provides exceptional experiences for divers, hikers, boaters and campers. The park is managed by the federal Department of the Environment - Parks Canada. The islands and land base encompasses 11,180 hectares.

2. Bruce Peninsula National Park*

(National Park)

This National Park located in the Municipality of Northern Bruce Peninsula (formerly St. Edmunds Township) is ultimately scheduled to grow to 15,524 hectares with the Cyprus Lake Area providing a focus for activities, such as, camping, picnicking, hiking, swimming and canoeing in one of the most impressive natural settings in Canada. From Georgian Bay cliffs to Lake Huron fens and bogs, it preserves a rich, diverse landscape to enjoy. The park is managed by the federal Department of Environment - Parks Canada and includes the Bruce Trail.

3. Cabot Head Provincial Nature Reserve

(Nature Reserve)

This 632 hectare Provincial Nature Reserve includes Provincially Significant Earth Science (Cabot Head Inland Lakes) and Life Science ANSIs (Cabot Head). Cabot Head is used for fishing, hiking, canoeing and nature appreciation. Wingfield Basin provides a safe harbour for boats along this part of the peninsula.

4. **Laird Property**

   (Resource Management)

   Donated to the Ontario Heritage Trust for recreational and educational purposes in 1987, this 37 hectare property is located on the brow of the Escarpment overlooking Georgian Bay. It is managed by the Ministry of Natural Resources.

5. **Devil's Monument**

   (Escarpment Access)

   Assembled by the Bruce Trail Association between 1988 and 1990 this property includes the Escarpment cliff overlooking Georgian Bay. The lands also include the Devil's Monument, a raised level sea stack. An interpretive lookout has been constructed in conjunction with a trail system on the remainder of the site.

6. **Cape Chin**

   (Escarpment Access)

   Parcels of land comprising 44 hectares owned by the Ministry of Natural Resources include a shingle beach shoreline and relatively undisturbed forest lands. The land is used for hiking and includes the Bruce Trail.

7. **Smokey Head – White Bluff Provincial Nature Reserve**

   (Nature Reserve)

   This Provincial Nature Reserve contains 347 hectares of forested land and contains a Provincially Significant Life Science ANSI. The Bruce Trail passes through this property.

8. **Lion's Head Provincial Nature Reserve**

   (Nature Reserve)

   This 607 hectare Provincial Nature Reserve is traversed by the Bruce Trail and is used for hiking, cross-country skiing and nature appreciation. The site contains Provincially Significant Earth Science (Lion's Head) and Life Science (Lion's Head Peninsula) ANSIs, numerous potholes and scenic lookouts.

9. **Hope Bay Forest Provincial Nature Reserve**

   (Nature Reserve)

   Provincially Significant Earth Science (Hope Bay Forest) and Life Science (Hope Bay Forest) ANSIs are contained in this 354 hectare Provincial Nature Reserve. Caves and potholes are among its significant geological features. The area includes the Bruce Trail and is used for hiking, nature appreciation and viewing.

10. Colpoys Bluff

(Escarpment Access)

The Ministry of Natural Resources and the Ontario Heritage Trust own several parcels of land totalling 220 hectares along the north shore of Colpoys Bay. This land includes the Bruce Trail and is used for hiking and cross-country skiing. It contains several scenic viewpoints.

B. GEORGIAN BAY/GREY COUNTY

11. Spirit Rock Conservation Area*

(Natural Environment)

This is a heavily wooded area on the Escarpment owned by the Grey Sauble Conservation Authority overlooking Colpoys Bay. This 90 hectare property includes the Bruce Trail which is used for hiking and cross-country skiing.

12. Bruce's Caves Conservation Area

(Natural Environment)

Prominent cliffs and wave-cut caves are the main geologic features in this 244 hectare area which is owned by the Grey Sauble Conservation Authority. Recreation uses include the Bruce Trail, hiking, cross-county skiing and picnicking.

13. Colpoy's Lookout

(Escarpment Access)

The Grey Sauble Conservation Authority owns this small 9 hectare shoreline park overlooking Colpoys Bay. This property is used for picnicking. There are two interpretive plaques on the property.

14. Skinner's Bluff Management Area

(Natural Environment)

The Grey Sauble Conservation Authority owns two tracts totalling 330 hectares which contain a Provincially Significant Life Science ANSI (Skinner's Bluff) and part of a Provincially Significant Earth Science ANSI (Slough of Despond). These properties include the Bruce Trail and are used for hunting, hiking, cross-country skiing and sustainable forest management.

15. Slough of Despond

(Natural Environment)

The Grey Sauble Conservation Authority owns this 180 hectare property which contains parts of Provincially Significant Earth Science (Slough of Despond) and Life Science (Skinner's Bluff) ANSIs. The area is used for hiking, nature interpretation, cross-country skiing, and sustainable forest management. It includes the Bruce Trail. The Slough of Despond is described by biologists as a glacial lagoon and reflects the environment at the site thousands of years ago.

16. Kemble Mountain Management Area

(Natural Environment)

Kemble Mount Management Area, 190 hectares in size, is owned by the Grey Sauble Conservation Authority, and includes a side trail of the Bruce Trail, and is used for viewing, hiking, cross-country skiing, and sustainable forest management.

17. Gowan Lake

(Natural Environment)

A Provincially Significant Life Science ANSI (Kemble Wetlands) and wildlife habitat are features of this undeveloped 80 hectare property owned by the Grey Sauble Conservation Authority. The property is managed for sustainable forestry.

18. Lindenwood Management Area

(Natural Environment)

The Grey Sauble Conservation Authority owns this 240 hectare wooded area along the Escarpment. Recreation uses include the Bruce Trail, hiking, cross-country skiing, and nature appreciation.

19. Indian Creek Management Area

(Natural Environment)

Indian Creek flows through this 22 hectare property owned by the Grey Sauble Conservation Authority. The parcel is a mixture of swamp, forest and cleared land.

20. **The Glen Management Area**

(Resource Management Area)

These Escarpment lands include the headwaters of Mud Creek and wetlands located above the Escarpment. Owned by the Grey Sauble Conservation Authority, these lands are managed by the Authority and Ducks Unlimited. The 660 hectare property is used for sustainable forest management, hiking, cross-country skiing, snowmobiling and wildlife management.

21. **Keppel Forest**

(Resource Management Area)

This 195 hectare property is owned by the Grey Sauble Conservation Authority and is devoted to forest and wildlife management. It is managed for sustainable forestry.

22. **Indian Falls Conservation Area**

(Recreation)

Indian Falls consists of 10 hectares of land including Indian Creek and Indian Falls. The property is owned by the Grey Sauble Conservation Authority and is used for picnicking, hiking and nature interpretation.

23. **Brookholm**

(Escarpment Access)

This 10 hectare parcel is managed by the Grey Sauble Conservation Authority. It includes the Escarpment face and a scenic lookout.

24. **Pottawatomi Conservation Area**

(Natural Environment)

The Grey Sauble Conservation Authority owns this 118 hectare property which includes the Escarpment face, the Pottawatomi River and Jones Falls. It includes the Bruce Trail and is used for picnicking, fishing, hiking and cross-country skiing.

25. **Springmount Forest**

(Resource Management Area)

This 98 hectare County property is located outside Owen Sound. In addition to forest and wildlife management, uses include the Bruce Trail, nature appreciation and hiking. The Escarpment face defines the north limit of this wooded tract.

26. West Rocks

(Natural Environment)

The Grey Sauble Conservation Authority owns this 58 hectare heavily wooded Escarpment area within the City of Owen Sound. The property features the Bruce Trail, viewpoints and trails with hiking and cross-country skiing being the main uses.

27. Inglis Falls Conservation Area*

(Natural Environment)

The Sydenham River flows over the Escarpment at Inglis Falls. Several geologic sites exist in this 215 hectare property owned by the Grey Sauble Conservation Authority. Fishing, picnicking, hiking and cross-country skiing are the main uses. The Bruce Trail crosses the property.

28. East Rocks

(Escarpment Access)

East Rocks is a small 1.2 hectare picnic and lookout area. Managed by the City of Owen Sound, the property includes a lookout tower built as a Centennial project sponsored by Owen Sound high schools.

29. Sydenham Forest West

(Resource Management Area)

This area consists of 20 hectares owned by the Grey Sauble Conservation Authority. The property is managed for sustainable forestry.

30. Sydenham Forest East

(Resource Management Area)

This 47 hectare Escarpment property is owned by the Grey Sauble Conservation Authority and is managed for sustainable forestry.

31. Bayview Escarpment Provincial Nature Reserve

(Nature Reserve)

This 575 hectare Provincial Nature Reserve contains hardwood forests representative of the Escarpment. There are several viewpoints. Current uses include nature appreciation and hiking.

32. Bognor Marsh Management Area

(Resource Management Area)

Bognor Marsh is a source area for the Bighead River. Fishing, hunting, hiking, cross-country skiing and wildlife management are the main activities in the 632 hectare park owned by the Grey Sauble Conservation Authority.

33. **Spey River Forest East**

(Resource Management Area)

This 130 hectare forested property is owned by the Grey Sauble Conservation Authority and managed for sustainable forestry. The property includes a Provincially Significant Life Science ANSI (McGill Lake) and the Bruce Trail.

34. **Robson Lakes Natural Area**

(Nature Reserve)

These 40 hectares owned by the Grey Sauble Conservation Authority contain part of a Provincially Significant Life Science ANSI (Robson Lakes). The property is being managed for sustainable forestry.

35. **Walters Falls Management Area**

(Natural Environment)

Walters Creek flows over the Escarpment at Walters Falls. Fishing, hiking and cross-country skiing take place in this 65 hectare property owned by the Grey Sauble Conservation Authority.

36. **Rocklyn Creek Management Area**

(Resource Management Area)

The Grey Sauble Conservation Authority owns this 188 hectare area which includes Rocklyn Creek, a waterfall and a geologic site. The property is used primarily for hiking and the Bruce Trail.

37. **Griersville (Blantyre)**

(Escarpment Access)

This area comprises 170 hectares and is owned by the Grey Sauble Conservation Authority. The property is used for hiking and the Bruce Trail.

38. **Fairmount**

(Escarpment Access)

The Ministry of Natural Resources owns this 25 hectare property which is traversed by a side trail of the Bruce Trail and is used for hiking.

39. **Epping Lookout**

(Escarpment Access)

This is a small 5 hectare roadside picnic area owned by the Grey Sauble Conservation Authority. There is a viewpoint overlooking the Beaver Valley, and an historical plaque dedicated to John Muir.

40. **Beaverdale Forest Area**

(Natural Environment)

This 100 hectare property on the west side of the Beaver Valley is owned by the Grey Sauble Conservation Authority and managed for sustainable forestry.

41. **Herman McConnell Memorial Forest**

(Natural Environment)

This 102 hectare Beaver Valley property was donated to the Ontario Heritage Trust in 1988. The lands include the wooded tableland above the Escarpment, the rock face/talus slope and fields below. Managed by the Ministry of Natural Resources the recreational uses include hiking and scenery appreciation. The Bruce Trail crosses the lands.

42. **Wodehouse Creek Management Area**

(Resource Management Area)

This 100 hectare Grey Sauble Conservation Authority property is used for hiking, nature interpretation and wildlife management.

43. **Beaver Valley Lowlands**

(Resource Management Area)

The Ministry of Natural Resources owns 622 hectares and the Grey Sauble Conservation Authority 232 hectares of land in several parcels along the Beaver Valley. This area is used for canoeing, fishing, hunting and trapping.

44. **Kimberley Mill Pond Park**

(Escarpment Access)

Acquired in 1999, this .6 hectare property provides public access to the historic mill pond. It also affords an excellent view of the Niagara Escarpment's "Old Baldy" promontory. The site provides parking and picnic facilities for visitors to the former Village of Kimberley (now in the Municipality of Grey Highlands). The Kimberley library/community centre, is located adjacent to the Mill Pond Park, and provides additional resources/ facilities. The Park is the starting point for hikes leading to property owned by the Grey Sauble Conservation Authority at the base of "Old Baldy". The Park is managed by the Municipality of Grey Highlands (formerly Township of Euphrasia).

45. **Old Baldy**

(Natural Environment)

This 91 hectare area is owned and managed by the Grey Sauble Conservation Area and the Ministry of Natural Resources. It contains part of a Provincially Significant Life Science ANSI (Kimberly Creek). The area provides opportunities for scenic viewing and hiking. The Bruce Trail crosses part of the lands.

46. Wodehouse Karst

(Resource Management Area)

The Ministry of Natural Resources manages 314 hectares and the Grey Sauble Conservation Authority 30 hectares in this area of geological importance. The site includes sinkholes and a disappearing creek. Uses include hiking, forestry, hunting and trapping. The Bruce Trail crosses these lands.

47. Hogg's Falls

(Resource Management Area)

This 83 hectare parcel along the upper Beaver Valley is owned by the Ministry of Natural Resources. Significant biological, geological and fisheries resources are protected.

48. Eugenia Falls Conservation Area

(Natural Environment)

Eugenia Falls consists of 23 hectares owned by the Grey Sauble Conservation Authority and lies within a large Provincially Significant Life Science ANSI (Upper Beaver Valley). Uses include cross-country skiing, hiking, picnicking and viewing the spectacular 30 metre Eugenia Falls.

49. Duncan Crevice Caves Provincial Nature Reserve

(Nature Reserve)

This 161 hectare Provincial Nature Reserve is used for nature appreciation and hiking. The site contains Provincially Significant Earth Science (Kolapore Uplands) and Life Science (Duncan Crevice Caves) ANSIs. It includes the Bruce Trail.

50. Kolapore Uplands

(Resource Management Area)

These extensive holdings (3,630 hectares) are owned by the Province, Grey Sauble Conservation Authority and the County of Grey. The Kolapore area offers a range of recreational opportunities including the Bruce Trail, hiking, cross-country skiing, snowmobiling, hunting and fishing. The area is also managed to protect a Provincially Significant Earth Science ANSI (Kolapore Uplands) and two Provincially Significant Life Science ANSIs (Kolapore Uplands and Kolapore Swamp) and to provide resource benefits from the forest.

51. Loree

(Escarpment Access)

This 26 hectare site is located above the Escarpment in the Blue Mountains area. Uses include hiking, viewing and nature appreciation.

52. Seymour Property

(Nature Reserve)

Secured through both donation and acquisition in 1995, this 71 hectare property is located immediately west of the Georgina Peaks ski area in the Blue Mountains. It is owned by the Ontario Heritage Trust and managed by the Ministry of Natural Resources. The property contains dramatic forested slopes, which are readily visible from vantage points below the Escarpment along Highway 26 and the Beaver Valley Road to the west. Almost the entire property lies within the provincially significant "Blue Mountains Slopes" Area of Natural and Scientific Interest (Life Science). The red oak-rich forests in combination with sun-warmed south facing ravine slopes provide good wildlife habitat. The property provides excellent viewing opportunities for raptors riding thermals along the lake facing slopes and the Beaver Valley.

53. Loree Forest

(Natural Environment)

This 339 hectare property is located in the Blue Mountains above the Georgian Peaks ski area near Collingwood. It is owned by the province and is currently the responsibility of Ontario Parks. The property consists of Escarpment slopes and tableland. The shale slopes are very steep and rise 155 metres from the lake plain fringing Nottawasaga Bay. Some of the slopes facing the Bay contain dramatic clay bluffs. Forested valleys up to 85 metres deep occur on the slopes. The tableland contains attractive maple and birch forests and open fields. This upper plateau is a popular area for hiking on the Bruce Trail, cross-country skiing and mountain biking. About 40 per cent of the park lies within an area identified as the provincially significant "Blue Mountain Slopes" Area of Natural and Scientific Interest (Life Science).

54. Delphi Point Municipal Park

(Escarpment Access)

This 4 hectare park provides public access to Georgian Bay. It is located on the north side of Highway 26 near the Georgian Peaks Ski Club. The park is owned and managed by the Town of the Blue Mountains. It is mainly forested, consisting of a mixed hardwood forest stand that is approximately 60 years old. The park is managed to protect geological features that include a rocky (shale) shoreline and several low shoreline ridges. Currently undeveloped, the park is intended to provide opportunities for nature appreciation and picnicking.

55. **Craigleith Provincial Park**

(Recreation)

This 66 hectare Provincial Park is located along Highway 26, and offers facilities for camping and day use access for water-based activities on Georgian Bay. The park contains exposed fossiliferous shales.

56. **Petun Conservation Area**

(Escarpment Access)

Nottawasaga Valley Conservation Authority owns this 40 hectare parcel of land which includes a significant geologic site. The property includes a scenic lookout and is used mainly for hiking and snowshoeing. The Bruce Trail crosses the lands.

57. **Pretty River Valley Provincial Park***

(Natural Environment)

Pretty River Valley Provincial Park comprises 993 hectares. The park contains Provincially Significant Earth Science (Pretty River Valley) and Life Science (Pretty River Valley) ANSIs, which include the Escarpment, the Gibraltar Moraine and the headwaters of Pretty River. Uses include hiking on the Bruce Trail.

58. **Rob Roy Forest**

(Escarpment Access)

This forest and scenic lookout is owned partly by the Province (34 hectares) and partly by the Grey Sauble Conservation Authority (47 hectares).

C. NOTTAWASAGA HIGHLANDS/DUFFERIN HILLS

59. **Nottawasaga Lookout Provincial Nature Reserve**

(Nature Reserve)

This 130 hectare Provincial Park in the Township of Clearview is managed by Ontario Parks, Ministry of Natural Resources. There is a scenic lookout and a route for cliff and ravine habitats and Provincially Significant Earth Science (Nottawasaga Lookout ES) and Life Science (Nottawasaga Lookout) ANSIs. The area supports an outstanding number of fern species.

60. **Nottawasaga Lookout**

(Escarpment Access)

The Nottawasaga Lookout is approximately 105 hectares and is located in Clearview Township. The property contains 82 hectares of mixed red/white pine plantation, which was planted in the mid to late 1980s for reforestation purposes. The site contributes to contiguous forest cover in the local and regional landscape. The site also contains a portion of the provincially significant Nottawasaga Lookout Area of Natural and Scientific Interest (Life Science). A skeet, trap and rifle range and an OPP Communications Tower are located on the lands.

61. **Devil's Glen Provincial Park**

(Recreation)

This 61 hectare Provincial Park provides access to the Bruce Trail and contains a portion of the Mad River Valley.

62. **Nottawasaga Bluffs Conservation Area**

(Escarpment Access)

This 65 hectare property owned by the Nottawasaga Valley Conservation Authority is used for hiking, snowshoeing and picnicking. The Bruce Trail crosses the property.

63. **Noisy River Provincial Nature Reserve**

(Nature Reserve)

This Provincial Nature Reserve encompasses significant biological and geological sites and an important cold water fishery (the Noisy River). The Bruce Trail passes through the 338 hectare property.

64. **Pine River Fishing Area**

(Resource Management Area)

The Ministry of Natural Resources manages 76 hectares in the Pine River Valley which is used as a public fishing area and for hunting, picnicking and Bruce Trail hiking.

65. **Mulmur Hills**

(Escarpment Access)

This scenic 26 hectare property in the Mulmur hills was secured to provide for Bruce Trail access. The property includes a prominent valley feature which is part of an Area of Natural and Scientific Interest (Earth Science).

66. **Boyne Valley Provincial Park**

(Natural Environment)

This 435 hectare Provincial Park includes biological and geological Areas of Natural and Scientific Interest. The Bruce Trail passes through this property.

67. **Mono Cliffs Provincial Park***

(Natural Environment)

Mono Cliffs Provincial Park comprises 737 hectares. Areas of Natural and Scientific Interest include the Mono Rocks Outliers, forested cliffs and lowlands. The area includes the Bruce Trail and is popular for hiking and cross-country skiing.

68. **Hockley Valley Provincial Nature Reserve**

(Nature Reserve)

This Provincial Nature Reserve of 505 hectares includes two Provincially Significant Earth Science ANSIs (Canning Falls ES and Canning Meltwater Deposits) and a Provincially Significant Life Science ANSI (Canning Falls). The area includes the Bruce Trail and is used for hiking, fishing and nature appreciation.

69. **Humber Valley**

(Escarpment Access)

The Toronto and Region Conservation Authority owns 35 hectares along the Humber River. The property is used for cross-country skiing and hiking on the Bruce Trail.

70. **Mono Mills Lowlands**

(Escarpment Access)

The Toronto and Region Conservation Authority owns this 2 hectare property in the Humber River Valley. The lands were acquired for headwater protection.

D. HALTON ESCARPMENT/CALEDON HILLS

71. **Glen Haffy Conservation Area**

(Natural Environment)

The Toronto and Region Conservation Authority owns this multi-use, 426 hectare property. Located along the Humber River, this area includes the Bruce Trail and is used for fishing, hiking, picnicking, camping and cross-country skiing.

72. **Ken Whillans Resource Management Area**

(Resource Management Area)

This 67 hectare property is owned by the Credit Valley Conservation and provides access to the Credit River for fisheries purposes. The Bruce Trail passes through this property on the Caledon Trailway.

73. **Forks of the Credit Provincial Park**

(Natural Environment)

The 317 hectare Provincial Park includes several important geological sites and the remains of a hydro power plant at Cataract Falls. The park is popular for fishing, hiking, picnicking and scenic viewing. It is crossed by the Bruce Trail.

74. **Willoughby Property**

(Natural Environment)

Secured through both donation and acquisition in 1986 this 43 hectare property is located in one of the most scenic portions of the Escarpment. Bounded on the west by the Village of Belfountain in the Town of Caledon, the lands for the most part are forested, very natural and rugged. Managed by the Credit Valley Conservation future uses include trail activities, education, nature appreciation and interpretation of early industrial activity associated with the Escarpment (e.g. quarrying). Recreational development will be low intensity in nature.

75. **Belfountain Conservation Area**

(Recreation)

This popular scenic 10 hectare area is owned by the Credit Valley Conservation. It is located in the Village of Belfountain in the Town of Caledon and offers picnicking opportunities next to the West Credit River as it flows over the Escarpment.

76. **Cheltenham Badlands**

(Escarpment Access)

This 36.6 hectare property in the Town of Caledon was purchased in 1999 and includes 1.39 kilometres of the Bruce Trail. Locally known as the Cheltenham (or Caledon) Badlands, the property is one of the best examples of "badland topography" in Ontario, making it a Provincially Significant Earth Science ANSI. Around the turn of the century, land clearing and livestock grazing caused the erosion of the underlying red shale, leaving a hummocky network of exposed trenched gullies on the lower slopes of the Niagara Escarpment. The resulting unique topography has drawn considerable public interest, drawing thousands of international and local visitors, including numerous high school and university students, to study geology and the process of erosion. Management of the property rests with the Bruce Trail Association while the tile is held by the Ontario Heritage Trust.

77. **Terra Cotta Forest Conservation Area**

(Nature Reserve)

Owned by the Credit Valley Conservation, this Area is traversed by the Bruce Trail as it winds its way through an Area of Natural and Scientific Interest recognized for its provincially significant life science features. Several properties make up this 132 hectare Area including 36 hectares bequeathed in 1989 to the Ontario Heritage Trust by the Estate of the Jacquith family.

78. **Terra Cotta Conservation Area***

(Natural Environment)

The Credit Valley Conservation owns this 173 hectare property which is a "Centre for Environmental Learning" and includes opportunities for interpretation, hiking, cross-country skiing, group camping, fishing and picnicking. Many of the Area's activities are centred around the trail system, including the Bruce Trail.

79. **Silver Creek Conservation Area**

(Nature Reserve)

The Escarpment, Silver Creek Valley and Glen Williams Outlier highlight this 448 hectare Area which protects a provincially significant life science Area of Natural and Scientific Interest. Owned by the Credit Valley Conservation, this property is used primarily for educational, interpretive, and trail related activities and includes the Bruce Trail.

80. **Scotsdale Farm**

(Natural Environment)

The 212 hectare Scotsdale Farm was donated to the Ontario Heritage Trust by the Estate of the Bennett family. Stewart Bennett was recognized as one of Canada's most accomplished Shorthorn cattle breeders. In addition to being an active farm, Scotsdale Farm contains the Bruce Trail which passes through forested uplands, wetland and along cold water streams. It is managed by the Credit Valley Conservation and contains public meeting facilities.

81. **Limehouse Conservation Area**

(Natural Environment)

The Credit Valley Conservation owns this property of 76 hectares which includes limekilns, an abandoned railroad, ruins of an old mill, a hiking trail and the Black Creek. It is traversed by the Bruce Trail.

82. **Speyside**

(Resource Management Area)

This 20 hectare parcel is managed by the Ministry of Natural Resources as a multiple use recreation area. The property is used for sustainable forest management, hiking and nature appreciation. A side trail of the Bruce Trail passes through this area.

83. **Speyside Nature Reserve**

(Nature Reserve)

Conservation Halton owns this mostly forested 27 hectare area located west of Regional Road 25. The area exhibits a good example of a mixed deciduous upland forest ecosystem and contains part of a provincially significant wetland/stream complex. The area is within the Provincially Significant Life Science ANSI (Halton Forest North) and a Region of Halton ESA. A tributary of the Sixteen Mile Creek crosses the area. The Bruce Trail passes through the property and provides pedestrian access from Regional Road 25. The property provides opportunities for hiking and nature appreciation.

84. **Tirion Tract**

(Resource Management Area)

This 20 hectare block of forested land is owned by Conservation Halton. The Bruce Trail is located on adjacent lands.

85. **Esquesing and Escarpment Tracts**

(Escarpment Access)

Conservation Halton owns two separate parcels totalling 43 hectares. The properties contain forested land and the brow of the Niagara Escarpment. In 1991, a bridge spanning the Dufferin Quarry gap was constructed by the Bruce Trail Association to facilitate Bruce Trail access.

86. **Hilton Falls Conservation Area**

(Natural Environment)

This natural area includes the Sixteen Mile Creek and Hilton Falls. Recreation uses include the Bruce Trail, picnicking, hiking and cross-country skiing. The property is owned by Conservation Halton (665 hectares) and the Regional Municipality of Halton (393 hectares).

87. **Kelso Conservation Area**

(Recreation)

A recreation area with facilities for picnicking, group camping, swimming, boating, downhill skiing and historical interpretation. Conservation Halton owns this 397 hectare property. The Bruce Trail crosses a portion of the park.

88. **Country Heritage Park**

(Historical)

This 32 hectare outdoor complex is managed by the Country Heritage Experience Inc. Formerly known as the Ontario Agricultural Museum or The Farm Museum, the property contains display facilities and buildings relating to the heritage and evolution of agriculture in Ontario. Educational/ interpretive programs and special public events are conducted on the lands.

89. **Crawford Lake/Rattlesnake Point Conservation Areas***

(Natural Environment)

This 482 hectare natural area contains prominent Escarpment bluffs, a glacial valley and a lake with unusual mixing characteristics. The property includes the Bruce Trail and is used for hiking, cross-country skiing, picnicking, group camping and rock climbing and is owned by Conservation Halton. Crawford Lake also includes an education/interpretation centre and reconstructed Indian Village.

90. **Yaremko Forest**

(Resource Management Area)

Donated in 1987 to the Ontario Heritage Trust this 18 hectare parcel is managed by Conservation Halton. The property consists of mature hardwood forest on undulating to rugged terrain. Recreational uses consist primarily of passive trail activities.

91. **Crawford Forestry Tract**

(Natural Environment)

This 129 ha site is owned by Conservation Halton (113 hectares) and the Ontario Heritage Trust (16 hectares) and includes an ancient dried-up waterfall. The area is used for hiking and the Bruce Trail.

92. **Yaremko-Ridley Park**

(Natural Environment)

This 70 hectare property contains Escarpment forest and a small lake nestled within a buried Escarpment trench. It includes the Bruce Trail. Most of the property (49 hectares) was donated to the Ontario Heritage Trust by the Yaremkos and Ridleys. The remaining (21 hectares) lands are owned by Conservation Halton.

93. **Freeman Property**

(Nature Reserve)

Acquired by Conservation Halton in 1989 for natural heritage protection with the help of the Ontario Heritage Trust, this 21 hectare parcel protects a forested portion of the Bronte Creek Valley.

94. **Mount Nemo Conservation Area**

(Natural Environment)

This 147 hectare property contains a prominent bluff on the Niagara Escarpment. An abandoned quarry, farm fields and forest lands make up the majority of the land above the Escarpment with activities currently limited to Bruce Trail access, hiking and viewing. The property is owned by Conservation Halton.

95. **Lake Medad Forest**

(Resource Management Area)

This 37 hectare area consisting of two separate land parcels owned by Conservation Halton, contains a forested bog and the scenic Medad Valley. Included is the lands donated in 1988 by the Ludwig family.

96. **Cedar Springs Trail**

(Escarpment Access)

This property consists of three parcels owned by Conservation Halton totalling about 4 hectares on the slopes of the Escarpment. The lands are partially forested and traversed by the Bruce Trail. Excellent vistas of Burlington, Hamilton, Burlington Bay, Lake Ontario, and the Burlington Skyway are available from the area.

97. **Kerncliff Park**

(Natural Environment)

Owned by Conservation Halton, this forested property about 40 hectare in size, is managed by the City of Burlington. The remains of the worked out Nelson Quarry are located within the park. A developed lookout and parking area are found west of Kerns Road. The lands include a Provincially Significant Earth Science ANSI and Regionally Significant Life Science ANSI. The Bruce Trail crosses the parcel. The management plan prepared for the property proposes passive recreational and interpretive facilities including a trail network to take advantage of natural features and lookouts.

98. **Burlington City Park**

(Recreation)

The property is located at Kerns Road and Dundas Street (Halton Region Road 5). The Park is adjacent to Kerncliff park (which is classified Natural Environment). The property, being 67 hectares in size, including approximately 45 hectares of tableland, is owned by the City of Burlington. Following the preparation of a master plan, the Park is to be developed, managed and maintained by the City of Burlington. The Park will include recreation uses and facilities, along with the Bruce Trail which crosses the site, and the preservation of natural features.

99. **Waterdown Woods**

(Nature Reserve)

Owned by Conservation Halton, this rugged and relatively undisturbed 122 hectare property on the Escarpment slopes is identified as having a Provincially Significant Life Science ANSI (Sassafras-Waterdown Woods). It is also a regional environmentally sensitive area. Mostly wooded, the site is interspersed with some field areas that are regenerating back to forest. The Escarpment affords views of Burlington, and Hamilton Bay. The Bruce Trail provides recreational access to the lands.

100. **Grindstone Creek**

(Nature Reserve)

Grindstone Creek falls over the Escarpment in a series of waterfalls. South of Waterdown the forested valley is deeply incised and there are excellent geological exposures making this a Provincially Significant Earth Science ANSI (Grindstone Creek). The Valley is also recognized as a Provincially Significant Life Science ANSI (Grindstone Creek Valley). Regionally the lands are identified as environmentally sensitive. Within the Valley is "Smokey Hollow," an area with local historical significance. The Bruce Trail is also found on the lands. Ownership of the approximately 32 hectares is divided between Conservation Halton, and the municipality.

101. **Clappison Woods**

(Natural Environment)

The lands are found along the Escarpment brow and on the slopes. Mainly forested, the area includes some open field areas and intermittent watercourses. Roughly 80 hectares in size, the lands, which are owned by Conservation Halton, are crossed by the Bruce Trail and used locally for hiking, nature appreciation and as a lookout. Part of the Clappison Woods holding includes a 3.2 hectare property owned by the Ontario Heritage Trust on the face of the Escarpment adjacent to the Highway 6 road cut, which is a Regionally Significant Earth Science site. Provincially the lands include a Regionally Significant Life Science ANSI (Clappison Escarpment Woods). Area biological features are also identified regionally as environmentally sensitive. Above the Escarpment lies the former King Quarry site, a Provincially Significant Earth Science ANSI.

102. **Royal Botanical Gardens***

(Natural Environment)

The Royal Botanical Gardens holds in excess of 1,100 hectares which include over 900 hectares within the Plan Area around Cootes Paradise (Provincially Significant Life Science ANSI and Provincially Significant Class 1 Wetland) and the Niagara Escarpment. Regionally, parts of the lands are identified as environmentally sensitive. Included are tracts of forest, marshland and meadow. Topographically, the Gardens comprise areas of open water, ravines, tablelands, stream valleys and over 3.2 kilometres of cliff face in the Patterson Road area, with a falls at Rock Chapel that is over 23 metres high. An active nature appreciation program is conducted within the park, which includes a major nature centre/ arboretum complex. Raspberry House, located on the Gardens' lands, is the headquarters for the Bruce Trail Association. Portions of the park are developed and used municipally for active recreation. Princess Point serves as the western access to the Hamilton Waterfront Trail which connects to the Lake Ontario Waterfront Trail.

The Royal Botanical Gardens is one of only two botanical gardens in Canada permitted the use of the designation "Royal." Park planning will consider the Royal Botanical Gardens comprehensively including the lands outside the Niagara Escarpment Plan area. The Royal Botanical Gardens is identified as a Nodal Park within this segment of the Escarpment, due to its strategic location and supporting programs.

103. Borer's Falls Conservation Area

(Nature Reserve)

The 90 hectare Borer's Falls Conservation Area is comprised of a number of notable features including the Borer's Creek, associated waterfalls, two deep ravines, scarp and talus slopes and dense forest cover. The lands support Regional Significant Life and Earth Science ANSIs and regional environmentally sensitive area designations based on the lands' geological, ecological, educational, and recreational attributes. Recreational use in this Hamilton Conservation Authority, Conservation Area is passive.

E. DUNDAS VALLEY/HAMILTON ESCARPMENT

104. Spencer Gorge Wilderness Area

(Natural Environment)

This 40 hectare area, owned by the Hamilton Conservation Authority, contains Provincially Significant Earth Science (Spencer Creek Bedrock Gorge) and Life Science (Spencer Gorge Escarpment Valley) ANSIs. The area includes the Bruce Trail and is used for hiking, viewing and picnicking.

105. Webster's Falls

(Escarpment Access)

This 4 hectare conservation area is owned by the Hamilton Conservation Authority and provides an excellent example of a man-made heritage landscape. The conservation area is used for hiking, picnicking and photography. The park's main natural attractions are the falls, incised Escarpment valley gorge and southern flora. The park includes lands identified as provincially significant Earth and Life Science ANSI.

106. Crook's Hollow

(Historical)

This 41 hectare park, owned and leased by the Hamilton Conservation Authority, includes facilities for picnicking, fishing, hiking and historical interpretation.

107. Christie Conservation Area

(Recreation)

This multi-purpose conservation project is used for swimming, boating, picnicking and fishing. The Hamilton Conservation Authority owns this 340 hectare property.

108. Summit Bog Muskeg Preserve

(Nature Reserve)

A 13 hectare kettle bog with representative vegetation is owned by the Hamilton Conservation Authority.

109. Dundas Valley Conservation Area*

(Natural Environment)

The Hamilton Conservation Authority owns some 1,046 hectares in the Dundas Valley. The western portion of the Dundas Valley contains a Provincially Significant Earth Science ANSI (Dundas Valley), two Provincially Significant Life Science ANSIs (Dundas Valley Forest and Sulphur Creek Valley) and a Regionally Significant Life Science ANSI (Ancaster Creek Valley). The lands include the Bruce Trail and are used for nature appreciation, hiking, bicycling, cross-country skiing and picnicking. A trail centre is located in the eastern part of the valley.

110. Tiffany Falls Conservation Area

(Escarpment Access)

This 7 hectare area is owned by the Hamilton Conservation Authority and is used for hiking and nature interpretation. The Bruce Trail passes through this area.

111. Iroquoia Heights Conservation Area

(Natural Environment)

The Hamilton Conservation Authority owns this 87 hectare area located at the brow of the Niagara Escarpment. The property contains a mix of biological habitats and ecological succession stages that is of regional significance. The abandoned Brantford-Hamilton Railway Line bisects the lands. The Bruce Trail crosses the property.

112. Mount Albion Conservation Area

(Natural Environment)

This 41 hectare property, owned by the Hamilton Conservation Authority, is used for hiking, cross-country skiing and as a scenic lookout.

113. Felker's Falls Conservation Area

(Natural Environment)

The Hamilton Conservation Authority owns this 33 hectare park which is used for picnicking and hiking. The property includes a scenic lookout, a waterfall and a gorge and the Bruce Trail.

114. **Battlefield Park**

(Historical)

This 12 hectare park owned by the City of Hamilton (formerly the City of Stoney Creek) is used for day use recreation activities. It contains the Battlefield Museum, former Gage farmhouse and grounds, which were acquired in 1899 by one of the first women's cultural groups in Canada and dedicated as a civic park. Open to the public, the museum sponsors tours and several special events throughout the year. A 30 metre high monument in this park commemorates all those who served in the 1813 Battle of Stoney Creek. The park provides access to the Bruce Trail.

115. **Devil's Punch Bowl**

(Natural Environment)

The Hamilton Conservation Authority owns this scenic picnic area of 42 hectares. The property includes a Provincially Significant Earth Science ANSI (Devil's Punchbowl), a waterfall and a gorge. It is crossed by the Bruce Trail.

116. **Vinemount Conservation Area**

(Natural Environment)

The Hamilton Conservation Authority owns this 16 hectare property, a portion of which is used for hiking and picnicking. It is crossed by the Bruce Trail.

117. **Winona Conservation Area**

(Natural Environment)

The Hamilton Conservation Authority owns this 43 hectare Escarpment property. This site contains a Provincially Significant Life Science ANSI (Niagara Section Escarpment) and provides access to the Bruce Trail.

F. NIAGARA PENINSULA

118. Woolverton Conservation Area

(Escarpment Access)

This 19 hectare property is owned by the Niagara Peninsula Conservation Authority for Bruce Trail access and natural area protection. Acquired lands adjacent to Woolverton Road and a former hydro corridor provide viewpoints for hikers.

119. Beamer Memorial Conservation Area

(Natural Environment)

The Niagara Peninsula Conservation Authority owns this 61.9 hectare property which is used for picnicking and hiking. The property contains areas of ecological and geological significance. This area is also popular for viewing the annual hawk migration. Lands donated to the Ontario Heritage Trust provide access to the Bruce Trail.

120. Thirty Mile Creek

(Escarpment Access)

Acquired in 1989 this 10 hectare property provides access for the Bruce Trail and natural area protection. The lands contain part of the Thirty Mile Creek terraced valley which is a Regionally Significant Life Science ANSI (Grimsby Beach Terrace Valley) and a waterfall. The property is managed by the Bruce Trail Association.

121. Mountainview Conservation Area

(Natural Environment)

This 25 hectare parcel is owned by the Niagara Peninsula Conservation Authority and is used primarily for hiking on the Bruce Trail.

122. Cave Springs

(Nature Reserve)

This area includes a forested Escarpment plain, crevasse valleys, cliff face, several lookouts and archaeological sites. About 24 hectares are currently in public ownership. The lands are managed by the Niagara Peninsula Conservation Authority and crossed by the Bruce Trail.

123. **Ball's Falls Conservation Area***
(Historical)

The Niagara Peninsula Conservation Authority owns this 94 hectare property which includes the Bruce Trail. It is used for camping and day use activities. Camping is restricted to organized youth service groups and Bruce Trail hikers for overnight stay, while trail hiking. This area also includes historic buildings, ruins, two waterfalls and Provincially Significant Earth Science (Balls Falls Bedrock Gorge) and Life Science (Jordan Valley) ANSIs. The area is extensively used for historical and conservation/education programs and is the site for numerous community and authority-sponsored festival events. In 1984 the Ellis family donated a further 24 hectares in the Twenty Mile Creek to the Ontario Heritage Trust. The Conservation Authority manages the lands as part of its Ball's Falls holding.

124. **Louth Conservation Area**

(Nature Reserve)

This 57 hectare area, owned by the Niagara Peninsula Conservation Authority, lies within a Provincially Significant Life Science ANSI (Fifteen-Sixteen Mile Creek Valleys). There is also a candidate Regionally Significant Earth Science ANSI (Sixteen Mile Creek Near Escarpment Brow). The property includes the Bruce Trail and is used for hiking, nature appreciation and viewing.

125. **Rockway Conservation Area**

(Nature Reserve)

Picnicking and hiking are the main uses of the 113 hectare site owned by the Niagara Peninsula Conservation Authority. The property is located within Provincially Significant Earth Science (Rockway Falls) and Life Science (Fifteen-Sixteen Mile Creek Valleys) ANSIs and includes a scenic waterfall. Activities in the area include nature-viewing and cross-country skiing. The Bruce Trail crosses the lands.

126. **St. Johns' Conservation Area**

(Natural Environment)

This 32 hectare tract of land is owned by the Niagara Peninsula Conservation Authority. Hiking and nature interpretation are popular. The area includes a rainbow trout pond. There are spectacular floral displays during the Spring and Fall at this site. St. Johns' includes a portion of Twelve Mile Creek, the only cold water, spring-fed creek in the Niagara Region.

127. Short Hills Provincial Park

(Natural Environment)

A 693 hectare Natural Environment class Provincial Park with several provincially significant flora, fauna and geological features. Development includes access points with parking lots, a self interpretive nature trail designed to meet the needs of the physically challenged and several hiking trails, including the Bruce Trail.

128. Welland Canal

(St. Lawrence Seaway)

The St. Lawrence Seaway Authority holds approximately 294 hectares in the Plan Area along the Welland Canal. Some of the area has the potential for recreational uses, such as hiking, viewing, and historical appreciation (e.g. Old Canal Area) where it does not conflict with the primary commercial shipping and industrial activity. The Bruce Trail crosses the area.

129. Woodend Conservation Area

(Natural Environment)

This 40 hectare property is owned by the Niagara Peninsula Conservation Authority. The main uses are hiking and outdoor education. The existing buildings are used for an Environmental Education Centre by the Lincoln County Board of Education. It also includes the Bruce Trail.

130. Queenston Quarry

(Natural Environment)

With the assistance of the Ontario Heritage Trust, the Niagara Parks Commission obtained title from Steetley Industries Ltd. on this 40 hectare property in 1987 (part donation, part purchase). In addition to its historic and natural attributes the property also provides an important link for the Bruce Trail.

131. Queenston Heights (Brock's Monument)

(Historical)

This historical park situated at the southern end of the Niagara Escarpment is owned and operated by the Niagara Parks Commission. A monument and several plaques commemorate General Isaac Brock and the War of 1812. The monument is owned by the federal government and is maintained by the Department of the Environment – Parks Canada. The area includes the Bruce Trail and is used for picnicking, hiking and day use recreation. About 30 hectares are located within the Plan Area.

APPENDIX 2

Definitions

The following definitions have been compiled to assist the reader with the interpretation of the Niagara Escarpment Plan.

Accessory Building and/or Structure – a detached building or structure that is not used for human habitation, the use of which is naturally and normally incidental to, subordinate to, or exclusively devoted to a principal use or building and located on the same lot.

Accessory Use – the use of any land, building or structure which is subordinate to and exclusively devoted to the principal use located on the same lot.

After Uses – the changed use of any land, building or structure within a Mineral Resource Extraction Area to a use other than that which is permitted under the Permitted Uses.

Aggregate – means gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock other than metallic ores, or other prescribed material under the *Aggregate Resources Act*.

Agricultural Areas – means areas where the following lands predominate:
a) Specialty crop areas; and/or
b) Areas where soil Classes 1, 2 and 3 predominate as defined in the Canada Land Inventory of Soil Capability for Agriculture; and/or
c) Small pockets of marginal agricultural land within or associated with a) and b).

Agricultural Use – the land, building or structure used for the purpose of animal husbandry, horticulture, beekeeping, dairying, fallow, field crops, fruit farming, fur farming, market gardening, maple syrup production, pasturage, poultry keeping, mushroom farming or any other farming use and may include growing, raising, small scale packing and storing of produce on the premises and other similar uses customarily carried out in the field of general agriculture.

Agricultural Operation – the carrying out of an agricultural use.

Animal Kennel – a building, structure or premises used for the raising or boarding of dogs, cats or other household pets.

Annually – shall mean the calendar year from January 1 to December 31.

Areas of Natural and Scientific Interest (ANSIs) – areas of land and water containing natural landscapes or features which have been identified as having values related to natural heritage protection, scientific study, or education. Depending upon the features of particular areas, they may be referred to as Life Science or Earth Science sites, depending on whether they are ecological or geological features. These areas vary in their level of significance and their vulnerability to environmental impacts. They are identified by the Ministry of Natural Resources and are classified as being either of "provincial", "regional" or "local" significance (see also definition of "Regionally Significant Areas of Natural and Scientific Interest").

Bed and Breakfast Home – sleeping accommodation for the travelling or vacationing public within a single dwelling which is owned by and is the principal residence of the proprietor, to a maximum of three guest rooms, and may include the provision of breakfast and other meals and services, facilities or amenities for the exclusive use of the occupants. More than three rooms may be permitted in an existing single dwelling of local heritage value or interest. A Bed and Breakfast in an existing single dwelling of local heritage value or interest may only operate with more than three rooms as long as it retains the features that cause it to be designated of local heritage value or interest.

Billboard – any notice, advertising device, or any part thereof whether it contains words or not and shall include any device that is used solely to attract attention, including any temporary or mobile structure used for similar purposes which contains information that is not related to the use of the property that the billboard is located on.

Biosphere Reserve – an international designation of recognition from the United Nations Educational Scientific and Cultural Organization (UNESCO) under the "Man and Biosphere Program (MAB)" that recognizes the unique natural features and ecological importance of the area regulated by the Niagara Escarpment Plan.

Bruce Trail – a continuous footpath from Queenston to Tobermory on which users can experience on foot the scenic, natural, wooded, pastoral and culturally significant areas of the Niagara Escarpment.

Bruce Trail Access Points – property managed and/or acquired in whole or in part for the purpose of providing public access to the Bruce Trail (e.g. parking areas).

Bruce Trail Corridor – property managed and/or acquired in whole or in part under Part 3 of the Niagara Escarpment Plan or by other means for the purpose of securing the Bruce Trail and facilitating the establishment of Overnight Rest Areas and Bruce Trail Access Points.

Campground – an area used for a range of overnight camping experiences, from tenting to serviced trailer sites, including accessory facilities which support the use, such as administration offices, laundry facilities, washrooms, support recreational facilities, but not including the use of mobile homes or trailers on a permanent year-round basis.

Carrying Capacity – capacity of a site to support a use without substantial negative impact on environmental features such as water quality, natural vegetation, soil, wildlife population and visual attractiveness.

Compatible – where the building, structure, activity or use blends, conforms or is harmonious with the Escarpment's ecological, physical, visual or cultural environment.

Conservation – the wise management of the environment in a way which will maintain, restore, enhance and protect its quality and quantity for sustained benefit to humans and the environment.

Conservation Organization – a non-government conservation body including a land trust, conservancy or similar not-for-profit agency governed by a charter or articles of incorporation or letters patent, and with by-laws and objectives that support the protection of the natural environment of the Niagara Escarpment. Such an organization must have registered charitable status.

A conservation organization shall be considered to have an "approved" status under this Plan once the Ministry of Natural Resources and Niagara Escarpment Commission have been satisfied that a conservation organization has an environmental purpose consistent with the purpose, objectives and policies of the Niagara Escarpment Plan. This would include commitment, public support, organizational ability, sustained activity in the interests of conservation over several years and a legally binding arrangement to ensure that all lands acquired or held as nature preserves remain protected should the organization cease to exist.

Cottage Industry – an occupation conducted as an accessory use within a single dwelling or in an addition to the dwelling or an accessory building, performed by one or more residents of the household on the same property. A cottage industry may include occupations such as dressmaking, upholstering, weaving, baking, ceramic-making, painting, sculpting and the repair of personal effects.

Cultural Heritage Features – human-made features of the landscape (also see Heritage Property).

Cultural Landscape – a cultural landscape is the product of human activity over time in modifying the landscape for their own purpose, and is an aggregation of human-made features such as a village, farmland, waterways, transportation corridors, and other artifacts.

Cumulative Effect – The effect on the Escarpment environment as a result of the incremental impacts of development when considered in conjunction with other past, present and possible future actions, occurring over a period of time and area.

Deeryards – an area where deer concentrate during the winter months.

Designated – when reference is made to the *Ontario Heritage Act* means heritage property in respect of which a designation has been carried out under the *Ontario Heritage Act*.

Domestic Purposes – those purposes for the property owner's use and not for sale to the public.

Dwelling Unit – one or more habitable rooms designed for the use of one household in which sanitary and kitchen facilities are provided for the exclusive use of such household, and having a private entrance.

Easement – a negotiated interest in the land of another which allows the easement holder specified uses or rights without actual ownership of the land.

Easement Agreement – when reference is made to the *Ontario Heritage Act* means an easement agreement under Section 37 of the *Ontario Heritage Act* guaranteeing the maintenance and protection of designated heritage property.

Ecological(ly) – the sum total of all the natural and cultural conditions which influence and act upon all life forms including humans.

Endangered Species (Regulated) – any indigenous species of fauna or flora that, on the basis of best available scientific evidence, is indicated to be facing imminent extinction or extirpation throughout all or a significant portion of its Ontario range. These Endangered species are identified in regulations under the *Endangered Species Act*.

Endangered Species (Not Regulated) – any indigenous species of fauna or flora that, on the basis of best available scientific evidence, is indicated to be facing imminent extinction or extirpation in Ontario and which is a candidate for regulation under Ontario's *Endangered Species Act* as determined by the Ministry of Natural Resources.

Environmental Monitoring – the long term and repeated measurement of selected properties or characteristics of the environment and of the activities believed to be responsible for changes in the environment. The most significant properties or characteristics are often referred to as indicators. Monitoring may be carried out on a very broad, even global scale or on a restricted, local scale.

Escarpment – see the preamble of this Plan for a description of the Niagara Escarpment. The single word "Escarpment" used in this document means the Niagara Escarpment.

Escarpment Brow (Edge) – the uppermost point of the Escarpment slope or face. It may be the top of a rock cliff, or where the bedrock is buried, the most obvious break in slope associated with the underlying bedrock.

Escarpment Environment – the physical, natural, visual and cultural heritage features associated with the Escarpment landscape.

Escarpment Related Landforms – the physical features of the land associated with the Escarpment and created by erosion, sedimentation and glaciation, often including such features as moraines, lakes, river valleys, beach ridges, drumlins and kames.

Escarpment Slope (Face) – the area between the brow and toe of the Escarpment and usually characterized by a steep gradient. Where the rise occurs in the form of a series of steps, the slope also includes the terraces between the steps.

Escarpment Toe (Base) – the lowest point on the Escarpment slope or face determined by the most obvious break in slope associated with the bedrock or landforms overlying the bedrock.

Essential – that which is deemed necessary to the public interest after all alternatives have been considered.

Event (Indoor and Outdoor) – in the case of a winery, an event that is incidental to the principal use of the property.

Existing Lot of Record – means:

i) A lot held under distinct and separate ownership from all abutting lots as shown by a registered conveyance in the records of the Land Registry office at the date of approval of the Niagara Escarpment Plan on June 12, 1985 by the Government of Ontario; or

ii) Any new lot created in conformity with the provisions of the Niagara Escarpment Plan since June 12, 1985; or

iii) Where lands have been added to the Niagara Escarpment Plan;

    a) A lot held under distinct and separate ownership from all abutting lots as shown by a registered conveyance in the records of the Land Registry Office at the date of approval of the amendment to the Plan adding the lands to the Plan; or

    b) Any new lot created in conformity with the Plan provisions after the date of approval of the amendment to the Plan adding the lands to the Plan.

Existing Use – the use of any land, building or structure legally:

i) Existing on the day of approval of the Niagara Escarpment Plan, i.e. June 12, 1985; or

ii) Approved in accordance with the provisions of the Niagara Escarpment Plan since June 12, 1985 but prior to the date of any amendment to the Plan that prohibited the use; or

iii) Existing, or approved, in an area added to the Niagara Escarpment Plan at the date of the amendment to the Plan adding the lands to the Plan.

Existing Waste Disposal Sites – a waste disposal site legally existing on the day of approval of the Niagara Escarpment Plan (June 12, 1985) or subsequently approved under the *Niagara Escarpment Planning and Development Act;* and the *Environmental Assessment Act* and/or the *Environmental Protection Act.*

Farm Cluster – a group of farm buildings, which includes the farm dwelling, on a property actively involved in agricultural use.

Farm Pond – a pond which is considered by the implementing authority to be necessary to an active and viable farm operation, and no feasible water supply alternative exists.

Farm Property – property owned or under the control of the landowners (e.g. leased)

Farm Products – products grown and/or produced on the farm property (e.g. fruit, vegetables, preserves, pies).

Farm Vacation Home – sleeping accommodation for the travelling or vacationing public within a single dwelling associated with a farm which is owned by and is the principal farm residence, to a maximum of three guest rooms and may include participation in farm activities and the provision of meals and other services, facilities or amenities for the exclusive use of the occupants. More than three rooms may be permitted in an existing single dwelling of local heritage value or interest. A Farm Vacation Home of local heritage value or interest may only operate with more than three rooms as long as it retains the features that caused it to be designated of local heritage value or interest.

Fish Habitat – the spawning grounds and nursery, rearing, food supply, and migration areas on which fish depend, directly or indirectly, in order to carry out their life processes.

Fisheries Management – the management of fish habitat and fish population for the purpose of sustaining and improving the quality and quantity of fish.

Fishery Resource – any body of water sustaining or having potential to sustain healthy game, forage or fish populations including bait fish, as identified by the Ministry of Natural Resources.

Flood Plain – the area, usually lowlands, adjoining a water course which has been, or may be covered by flood water.

Forest Management – the sustainable management of forests for the production of wood and wood products, and to provide outdoor recreation, to maintain, restore or enhance environmental conditions for wildlife, and for the protection and production of water supplies.

Full-time Bona Fide Farmer – a farmer who owns, lives on and has been continuously farming the property for a period of 20 years prior to making application, and whose main occupation is farming.

Fully underground – that portion of the winery completely below the existing grade. Walkout situations are not considered fully underground. Access ramps for service vehicles do not represent a walkout situation.

Golf Course – a public or private area laid out, operated or used for the purpose of playing or practicing the game of golf and including a golf driving range. A golf course, regardless of size or design, shall not be considered an accessory or incidental use under the definitions of this Plan.

Golf Driving Range – see definition of golf course.

Groundwater Infiltration Area – an area where the porous nature of the surficial materials allows significant percolation of water into the groundwater system.

Group Home – means a residence that is licensed or funded by a Public Agency for the accommodation of three to ten persons, exclusive of staff, living under supervision in a single housekeeping unit and who, by reason of their emotional, mental, social or physical condition or legal status, require a group living arrangement for their well being.

Headwaters – the source area of a stream.

Heritage Property – features in or on the land or underwater and considered to be a consultable record of past human activities, endeavours or events (e.g. buildings, street furniture, engineering works, planting and archaeological sites) – also see Cultural Heritage Features.

High Water Mark – the mark made by the action of water under natural conditions on the shore or bank of a body of water which action has been so common and usual that it has created a difference between the character of the vegetation or soil on one side of the mark and the character of the vegetation and soil on the other side of the mark.

Home Business – means a cottage industry, home industry or home occupation as defined in this Plan.

Home Industry – a small scale use, providing a service primarily to the rural or farming community and which is accessory to a single dwelling or agricultural operation, performed by one or more residents of the household on the same property. A home industry may be conducted in whole or in part in an accessory building and may include a carpentry shop, a metal working shop, a welding shop, an electrical shop or blacksmith's shop, etc., but does not include an auto repair or paint shop, or furniture stripping.

Home Occupation – an occupation, which provides a service as an accessory use within a single dwelling or in an addition to the dwelling or in an accessory building, performed by one or more residents of the household on the same property. Such occupations may include services performed by an accountant, architect, auditor, dentist, medical practitioner, engineer, insurance agent, land surveyor, lawyer, realtor, planner, hairdresser, desk top publisher or word processor, computer processing provider, teacher or day care provider.

Household – means one or more persons living as a single housekeeping unit in one dwelling.

Implementing Body/Authority – the body/bodies responsible for the administration of the Niagara Escarpment Plan.

Incidental use or facility – a use (e.g. swimming pool) or facility (e.g. to sell wine with limited food service at a winery) normally accessory to but not an essential part of an existing use located on the same lot, but does not include a sign.

Institutional Use – use of land, building or structure for some public or social purpose, but not for commercial purposes, and may include governmental, religious, educational, charitable, philanthropic, hospital or other similar or non-commercial use to serve the immediate community.

Light Meals –will not exceed five main selections with no more than four snacks or side dishes. The selection will be such that it allows a reasonable variety of meals, either as a single order or by combining orders.

Limited Complimentary Food Service – the provision of complimentary food, such as hors d'oeuvres or bread and cheese, for the exclusive purpose of the tasting experience, but shall not be for sale nor include a restaurant.

Local Heritage Value or Interest – status accorded to heritage properties by a municipality where the council of the municipality, on the advice of a Local Architectural Conservation Advisory Committee (LACAC) or the Ontario Heritage Trust, is prepared to designate or has designated, and will enter or has entered into an easement agreement under the *Ontario Heritage Act*.

Lot – means a parcel of land;

a) Described in a deed or other document legally capable of conveying an interest in land, or

b) Shown as a lot or block on a registered plan of subdivision.

Mineral Resources – sand, gravel, shale, limestone, dolostone, sandstone, and other mineral materials suitable for construction, industrial, manufacturing and maintenance purposes, but does not include metalliferous minerals, fossil fuels, or non-aggregate industrial minerals such as asbestos, gypsum, nepheline syenite, peat, salt and talc or mine tailings.

Municipality – a city, county, region, town, village and township.

Municipal Park or Open Space – any park or open space area owned and managed by a local, regional or county government.

National Heritage Value or Interest – status accorded to properties recognized as national historic sites on a list compiled by the Historic Sites and Monuments Board of Canada, an agency of the federal Department of the Environment – Parks Canada.

Natural Environment – the air, land and water or any combination or part thereof, of the Province of Ontario.

Nature Preserve – property held by an approved conservation organization for the purpose of enhancing, protecting, maintaining or providing access to the natural environment in the Niagara Escarpment Plan area. Nature preserves will be areas or sites that presently, or in the future, could contribute to the conservation of Ontario's biodiversity and natural heritage. Such lands are not recognized as building lots under the Plan.

New Lots – lots registered in the Land Registry Office after the approval of the Niagara Escarpment Plan.

Niagara Escarpment – a description of the Niagara Escarpment is provided in the introduction of this document. The single word "Escarpment" used in this document means the Niagara Escarpment.

Niagara Escarpment Land Acquisition and Stewardship Program – the program adopted and funded by the Province at the time of approval of the Niagara Escarpment Plan to:

a) Complete the system of public parks and open space identified in Part 3 and secure a corridor for the Bruce Trail linking parks, open space areas and natural features; and

b) Promote and support responsible protection and stewardship of significant natural and cultural heritage properties and features.

The Program was replaced by the Natural Areas Protection Program in 1998.

Official Plan – a document approved by the Minister of Municipal Affairs and Housing, containing objectives and policies established primarily to provide guidance for the physical development of a municipality or a part thereof, while having regard to relevant social, economic and environmental matters.

Open Landscape Character – the system of rural features, both natural and human-made which makes up the rural environment, including forests, slopes, streams and stream valleys, hedgerows, agricultural fields, etc.

Original Township Half Lot – half of an original township lot where the township was originally surveyed into 80 hectare (200 acre) lots.

Original Township Lot – The township lot as shown on an original plan where an original plan is a plan certified by the Surveyor General as being the original plan of an original survey. Generally, in Ontario original township lots are 40 hectares (100 acres). However, larger and smaller original township lots exist.

Overnight Rest Areas – property managed and/or acquired by the Bruce Trail Association or through agreements with landowners or public agencies for the purpose of allowing small basic unserviced camping sites for Bruce Trail users.

Park and Open Space Plans – master/management plans for parks and open space within the Niagara Escarpment Parks and Open Space System which are not in conflict with the Niagara Escarpment Plan.

Pit – means land or land under water from which unconsolidated aggregate is being or has been excavated, and that has not been rehabilitated, but does not mean land or land under water excavated for a building or other work on the excavation site or in relation to which an order has been made under sub-section 1(3) of the *Aggregate Resources Act*.

Preservation – the maintenance of natural or cultural heritage features in their current or original form, and the maintenance of the natural environment to allow natural processes to continue undisturbed by human intervention.

Progressive Rehabilitation – rehabilitation done sequentially, within a reasonable time, in accordance with the *Aggregate Resources Act*, its regulations, the site plans and the conditions of the license or permit during the period that aggregate is being excavated and in accordance with the provisions of the Niagara Escarpment Plan.

Property – real property, including all buildings and structures thereon.

Protection – ensuring that human activities are not allowed to occur which will result in the unacceptable degradation of the quality of an environment.

Provincial Heritage Value or Interest – status accorded properties for which provincial heritage plaques have been erected, or otherwise which have been declared to be provincially significant by the Ontario Heritage Trust, an agency of the Ministry of Culture.

Public Agency/Body – a federal or provincial government, a municipality, or municipal agency, including any commission, board, authority or department, established by such government or agency exercising any power or authority under a Statute of Canada or Ontario. The Bruce Trail Association shall be treated as if it were a public agency/body with respect to the role of the Association in securing and managing the Bruce Trail Corridor under Part 3 of the Niagara Escarpment Plan.

Quarry – means land or land under water from which consolidated aggregate is being or has been excavated and that has not been rehabilitated, but does not mean land or land under water excavated for a building or other work on the excavation site or in relation to which an order has been made under sub-section 1(3) of the *Aggregate Resources Act*.

Rare Species – any indigenous species of flora or fauna, identified by the Ministry of Natural Resources, that is represented in Ontario by small but relatively stable populations, and/or that occurs sporadically or in a very restricted area of Ontario or at the fringe of its range, and that should be monitored periodically for evidence of a possible decline.

Recreational Development – those activities and associated tourism facilities designed to provide recreational and tourism opportunities for the use of local residents and the travelling public.

Region – when used in Part 2.10.4 of this Plan, means the Designated Viticultural Area (DVA) within which the winery is proposed. Should additional Designated Viticultural Areas be included in the Niagara Peninsula, the original boundary of the DVA is to be applied for the purposes of this definition.

Regionally Significant Areas of Natural and Scientific Interest – Life Science or Earth Science ANSIs that are identified and classified by the Ministry of Natural Resources as non-essential to achievement of provincial objectives.

Rehabilitation – after extraction, to treat land so that the use or condition of the land is restored to its former use or condition, or is changed to another use or condition which is compatible with adjacent uses and the objectives and policies of the Niagara Escarpment Plan (e.g. restoration of land from which aggregate has been extracted).

Remnant Lot (Parcel) – the lot remaining after a severance has been taken.

Retail Sales and Tasting Area – the area within a winery where wine and other farm products are displayed and sold including the hospitality area where wine may be tasted. Limited complimentary food services for the purposes of tasting, but not for sale, may be provided within the retail sales and tasting area.

Secondary Plan – a plan for a specific geographic area of a municipality which has been approved as an amendment to an official plan by the Minister of Municipal Affairs and Housing. Such a plan is prepared when there is a need for more specific policies to guide future development approved in an official plan under the *Planning Act*.

Sediment Control Device – a structure which traps and filters sediment.

Sign – includes any sign, notice, advertising device, or any part thereof whether it contains words or not and shall include any device that is used solely to attract attention, including any temporary or mobile structure used for similar purposes.

Single Dwelling – a separate building containing not more than one dwelling unit and may include a chalet, cottage, mobile home or group home.

Source Area – areas of obvious groundwater discharge (e.g. springs and prominent seeps), recharge areas and wetlands which serve as the origin or source of surface or ground water systems.

Special Concern Species – (formerly Vulnerable Species) any indigenous species of fauna or flora with characteristics that make it sensitive to human activities or natural events as identified by the Ministry of Natural Resources.

Stream/Watercourse – is a feature having defined bed and banks, through which water flows at least part of the year.

Talus Slope – the slope created by the mass of broken rock which accumulates at the base of the cliff face along the Escarpment.

Threatened Species – any indigenous species of fauna or flora that on the basis of the best available scientific evidence, is indicated to be experiencing a definite non-cyclical decline throughout all or a major portion of its Ontario range, and that is likely to become an endangered species if the factors responsible for the decline continue unabated, as identified by the Ministry of Natural Resources..

Tonne – a metric measurement, 1,000 kilograms or 2,205 pounds.

Top of Streambank – the upper edge of the slope of the stream valley where the land levels off; or where there is a flood plain, to the top of slope above the flood plain.

Trail Activities – recreation oriented to trails (e.g. horseback riding, cross-country skiing, hiking, snowmobiling).

Transfer Station – a waste disposal site used for the purpose of transferring waste from one vehicle to another for transportation to another waste disposal site.

Unserviced Campsites – campsites which are not individually provided with water, sewer or electrical services.

Unstable Slopes – slopes which are or may be subject to erosion such as mass movement, slumping, landslides, mudflows or rock falls.

Utility – a water supply, storm or sanitary sewage, gas or oil pipeline, the generation, transmission and distribution of electric power, steam or hot water, towers, telegraph and telephone lines and other cabled services, a public transportation system, licensed broadcasting receiving and transmitting facilities, or any other similar works or systems necessary to the public interest, but does not include:

- the establishment of a new waste disposal site;
- any expansion or alteration to an existing waste disposal site from what has been approved under the applicable legislation (including any expansion in area or height of a landfill or any change in the type of waste material being disposed);
- incineration facilities (including energy from waste facilities); or
- large scale packer and/or recycling plants or similar uses.

Veterinary Clinic – the office of a veterinary surgeon and premises for the treatment of animals.

Waste – includes ashes, garbage, refuse, domestic waste, industrial waste, municipal wastes, hazardous waste and such other wastes as are designated in the regulations under the *Environmental Protection Act*, as amended, but does not include:

- agricultural waste;
- inert fill;
- inert rock fill;
- condemned animals or parts thereof at a plant licensed under the *Meat Inspection Act* (Ontario) or an establishment operating under the *Meat Inspection Act* (Canada);
- dead animals to which the *Dead Animals Disposal Act* applies; or
- hauled sewage sludge for disposal on farmland.

Waste Disposal Site – any land or land covered by water upon, into or through which, or building or structure in which waste is deposited, stored and processed and includes such sites defined and classified in regulations under the *Environmental Protection Act*, as amended, including derelict motor vehicles sites, transfer or container stations or incineration sites, but does not include:

- a structure which is wholly utilized for the temporary collection of waste (e.g. commercial and industrial dumpsters associated with an existing use);
- domestic storage and composting of waste sites;
- existing hospital incinerators;
- agricultural waste sites (e.g. agricultural manure and disposal);
- on-site incinerators at the site of a crematorium within the meaning of the *Cemeteries Act*;
- on-site incinerators at the site of a veterinary hospital/clinic;
- small scale recycling depots for paper, glass and cans etc., serving the local community; and
- disposal of domestic sewage sludge on farmland.

Watershed Management – the analysis, protection, development, operation and maintenance of the land, vegetation and water resources of a drainage basin.

Wayside Pit or Quarry – a temporary pit or quarry opened and used by or for a public road authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way, but does not include a licensed pit or quarry.

Wetlands – lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic or water tolerant plants. The four major types of Wetlands are swamps, marshes, bogs, and fens.

Lands being used for agricultural purposes, that are periodically "soaked" or "wet", are not considered to be wetlands in this definition. Such lands, whether or not they were wetlands at one time are considered to have been converted to alternate uses.

Wildlife Habitat – areas of the natural environment where plants, animals, and other organisms, excluding fish, survive in self-sustaining populations, and from which they derive services such as cover, protection, or food.

Wildlife Management – the management of wildlife habitats for the purposes of sustaining the quantity and quality of wildlife.

Winery – buildings or structures used for the processing of grapes in the production of wines for sale, including the crushing, fermentation, production, bottling, aging and/or storage of wine and wine-related products as a secondary agricultural use to a vineyard. The winery may include a laboratory and winery administrative office but not implement buildings used to house farm machinery (e.g. tractors, sprayers, etc).

Winery Incidental Uses – uses that may be permitted incidental to a winery are:

1. A retail sales and tasting area within the winery building.
2. The sale of gift, promotional and non-local products within the retail sales and tasting area.
3. Bus tours (helicopter tours are discouraged).
4. Indoor and outdoor events that are incidental to the principal use of the property, subject to Part 2.10.4.3.
5. Educational and historical displays that are related to the wine and grape industry.
6. Outdoor picnics and barbecues subject to Part 2.10.4 m) and provided that adequate and appropriate water and sanitary services are available to the satisfaction of the Public Health Department.
7. An incidental facility serving light meals, as defined in the Plan, and subject to Section 2.10.4.1 a) of the Plan.

Winery Farm Parcel – the existing lot of record upon which the winery is located or proposed to be located.

APPENDIX 3

Residential Heritage Properties Listing

Residential Heritage Properties Listing

The following is the residential heritage properties permitted second dwellings under Part 2.2.7.b) and listed in accordance with Part 2.12.6 of the Niagara Escarpment Plan.

1. Development Permit #7275/P/R/00-01/370 (dated June 13, 2001) located in Part of Lots 4 and 5, Concession 3 WHS, Town of Caledon. An existing heritage dwelling is to be retained as caretaker's residence on a 74 hectare (183 acre) property. The caretaker's residence has been designated under the *Ontario Heritage Act*.

2. Development Permit #7496/H/R/01-02/224 (dated March 13, 2002) located in Part of Lots 4 and 5, Concession 3 NS, City of Burlington. An existing heritage dwelling is to be retained as a guest house on a 42 hectare (105 acre) property. The guest house has been designated and an easement entered into under the *Ontario Heritage Act*.

APPENDIX 4

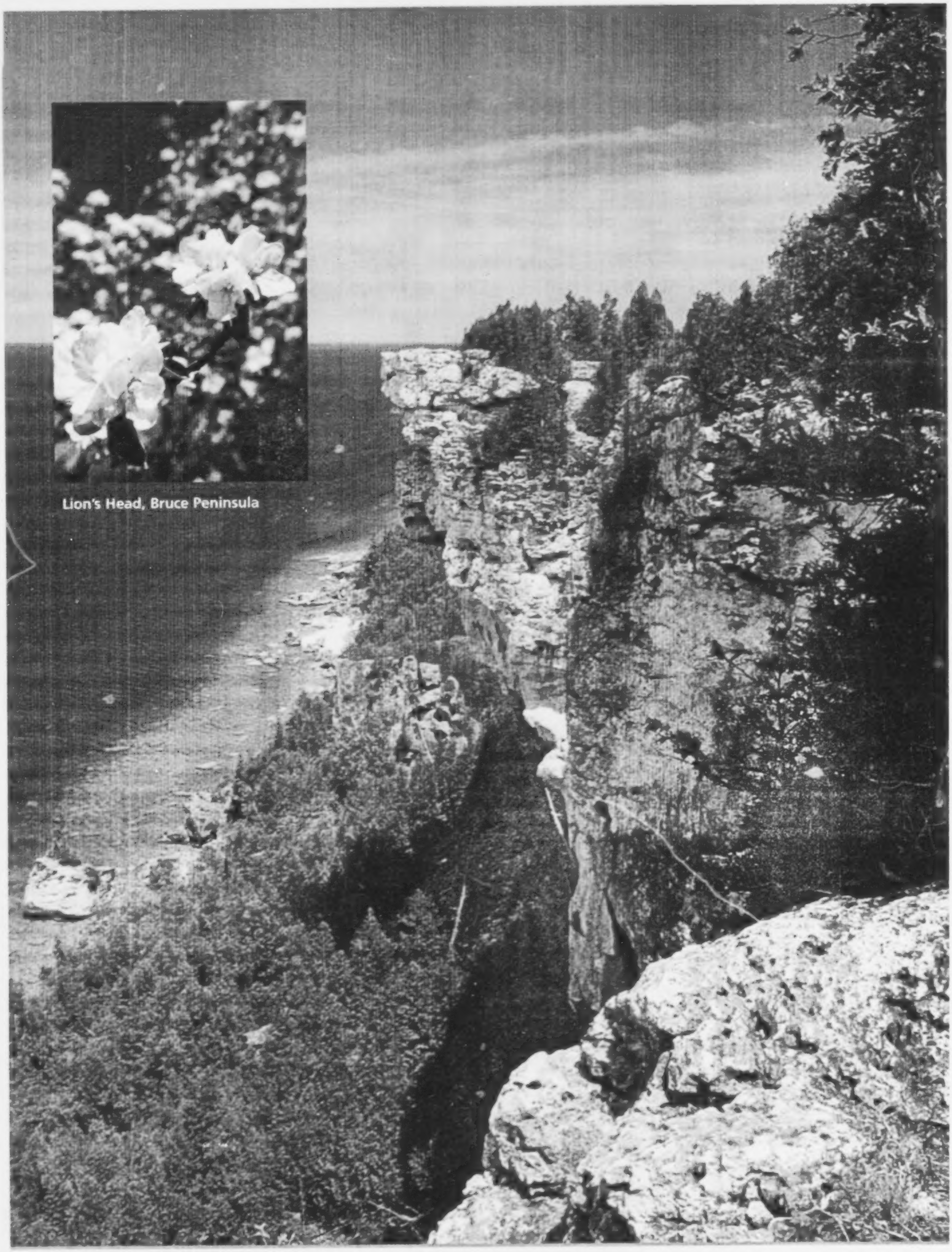
Nature Preserve Properties Listing

Properties will be added to this Appendix pursuant to the policies of Parts 1 and 2 of the Niagara Escarpment Plan.

PHOTOS:

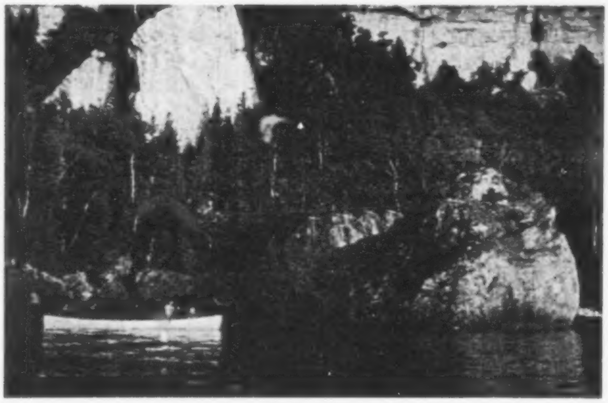
Credit:	**Neil Hester**
Cover	Middle Bluff, Cabot Head, Bruce Peninsula
Pg. ii	Hilton Falls, Milton
Pg. iii	Sixteen Mile Creek, Halton
Pg. iv	Halfway Dump, Bruce Peninsula
Pg. 135	Lion's Head, Bruce Peninsula
Pg. 137	Grindstone Creek, Waterdown

Credit:	**Willy Waterton**
Inside front cover	Cabot Head, Bruce Peninsula
Pg. iv	Red Fox (MNR stock photo)
Pg. 70	Skiers, Tobermory
Part 3	Snowshoer, Halfway Rock Point
Appendices page	Cheltenham Badlands, Caledon
Pg. 136	Hiker, Cave Point, Bruce Peninsula
Pg. 137	Fall trees on the Niagara Escarpment
	Hart's tongue fern
	Canoe, Lion's Head



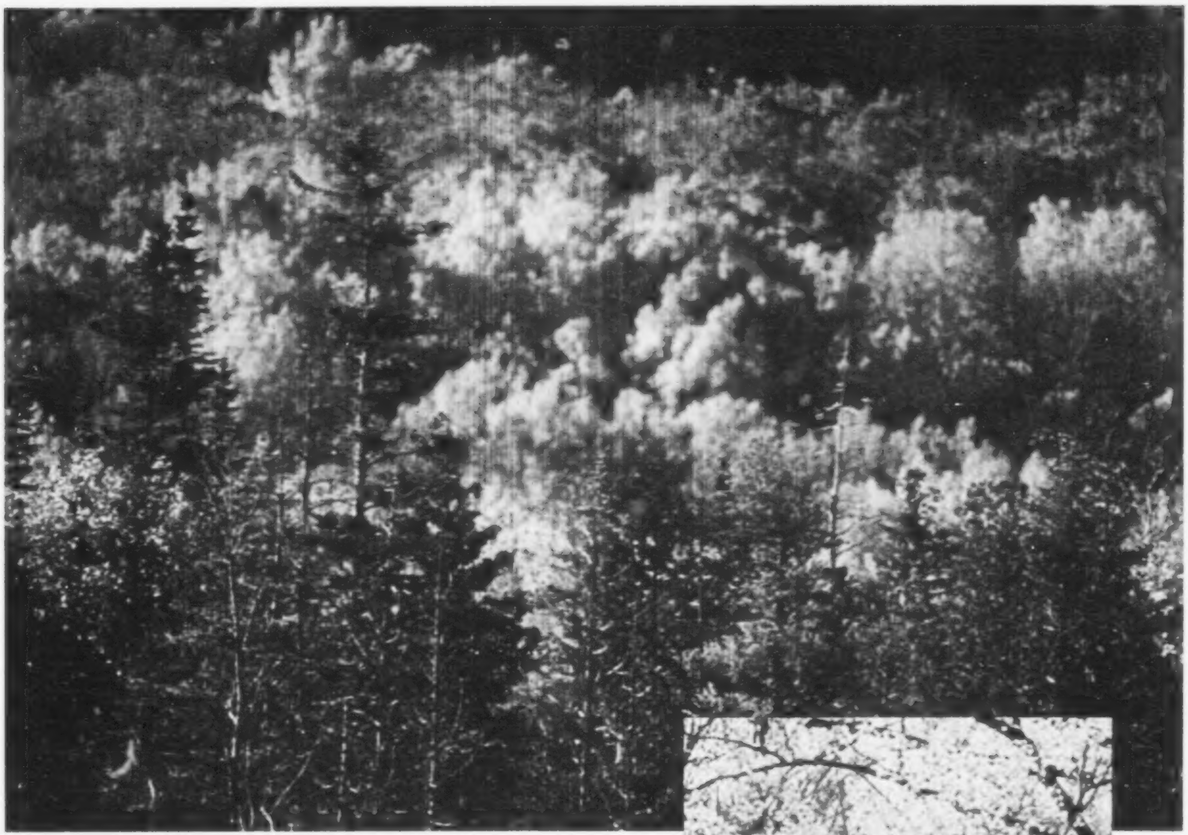
Lion's Head, Bruce Peninsula

Hiker, Cave Point, Bruce Peninsula

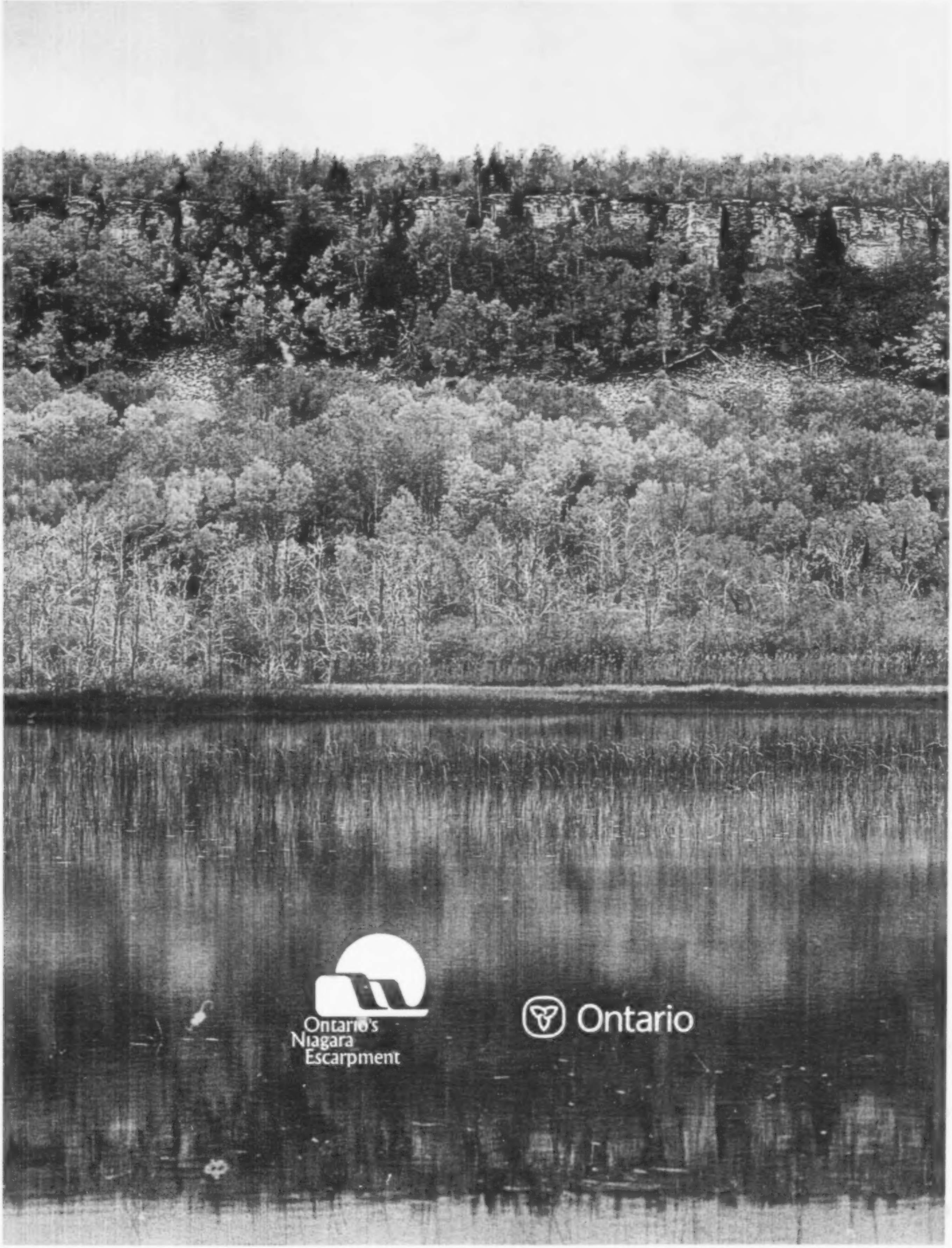


Canoe, Lion's Head

Fall trees on the Niagara Escarpment



Above: Hart's tongue fern
Right: Grindstone Creek, Waterdown



Ontario's
Niagara
Escarpment

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